

OECOLOGY

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May and start to prepare the ground around their homesteads for maize. At the end of the month, or in June, the younger people return with the cattle and assist in clearing last year's millet gardens and in the hard work of hoeing new ground. Prolific grasses spring up with the millet which has to be weeded at least three, and maybe four or five, times. The more weeding done for the first crop the less is needed for the second crop.

While the first crop is ripening adjacent strips are cleared for the second crop (Plate XI (b)), which is sown shortly before the first is harvested, at the end of August or in September, and it grows together with the new shoots that spring from the roots of the first crop after its stems have been chopped down. In Eastern Nuerland the second sowing is made among the standing crop or on an extension of the garden, but in Western Nuerland and in parts of the Zeraf Island the ground is so flooded that it is made on prepared mounds of earth. I would again draw attention to Plate X II, where these mounds are illustrated, for it admirably shows what Nuerland is like in the rains and conveys a clear impression of the obstacles confronting Nuer horticulture. The second crop has also to be weeded several times and, as the same garden will be used for the first sowing in the following rains, the more thoroughly it is weeded now the less work there will be to do then. In many parts of Nuerland the second harvest may be almost as big as the first, and it is probable that where local conditions are adverse to one crop they favour the other. It appears that while the sown millet of the second crop requires much moisture and will not flourish if the rains fall off early the millet which sprouts from the old stems does best in drier conditions and may be spoilt by late heavy showers, so that one or the other is likely to ripen, and in moderate conditions both may thrive.

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In some districts of the Lou and Eastern Jikany tribes the culture of a slow-maturing millet called *jaak* (*Sorghum durra*) has been copied from the Dinka. The spot chosen for cultivation is not burnt at the annual firing of the bush, but early in the following rains when the new grasses have sprung up among the old. Although this kind of millet has certain disadvantages it has caught on in a few places because it requires less clearing and weeding and is very hardy.

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Nuer know nothing of crop rotation, having indeed no crops to rotate, nor of manures, though the droppings of cattle and the ashes of burnt weeds and brushwood no doubt act as fertilizers. They never allow their homestead gardens to lie fallow for a year to enable the soil to recuperate, but plant year

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619 We would emphasize further that blood-feuds only directly involve a few persons and that though they sometimes cause violence between whole local communities—a feud in a wider sense—ordinary social contacts continue in spite of them. The strands of kinship and affinity, of age-set affiliations, and of military and even economic interests remain unbroken; and these strands act like elastic between the sections, being capable of considerable expansion by disturbed political relations, but always pulling the communities together and keeping them as a single group in relation to other groups of the same kind. As we have explained, these strands lessen in number and strength the larger the community, but they stretch even beyond tribal frontiers. Increasing anarchy, increasing difficulty in settling feuds, goes together with lessening frequency of social contacts of all kinds. Social cohesion increases as the size of the community narrows.

VIII

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627 There are, of course, disputes between Nuer other than those about homicides, but they can be treated briefly and in direct relation to homicide and the feud. In a strict sense Nuer have no law. There are conventional compensations for damage, adultery, loss of limb, and so forth, but there is no authority with power to adjudicate on such matters or to enforce a verdict. In Nuerland legislative, judicial, and executive functions are not invested in any persons or councils. Between members of different tribes there is no question of redress; and even within a tribe, in my experience, wrongs are not brought forward in what we would call a legal form, though compensation for damage (*ruok*) is sometimes paid. A man who considers that he has suffered loss at the hands of another cannot sue the man who has caused it, because there is no court in which to cite him, even were he willing to attend it. I lived in intimacy for a year with Nuer and never heard a case brought before an individual or a tribunal of any kind, and, furthermore, I reached the conclusion that it is very rare for a man to obtain redress except by force or threat of force. The recent introduction of
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● 177 Government courts, before which disputes are now sometimes

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settled, in no way weakens this impression, because one well knows how among other African peoples cases are brought before courts under Government supervision which would not previously have been settled in a court, or even settled at all, and how for a long time after the institution of such Government tribunals they operate side by side with the old methods of justice.

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Before discussing the chief characteristics of Nuer legal procedure I record that, according to verbal information, for I have never observed the procedure, one way of settling disputes is to use a leopard-skin chief as mediator. Thus, I was told that a man who has a cow stolen may ask a leopard-skin chief to go with him to request the return of the cow. The chief goes first, with several of the elders of his village, to the plaintiff's homestead, where he is given beer to drink. Later they go, with a deputation from the plaintiff's village, to the defendant's village, and here also the chief may be presented with some beer or a goat. The chief is considered to be neutral and a certain sanctity attaches to his person so that there is little likelihood of the deputation being injured. The visiting elders sit with elders of the defendant's village and the chief in one of the byres and talk about the matter in dispute. The owner of the animal gives his view and the man who has stolen it attempts to justify his action. Then the chief, and anybody else who wishes to do so, expresses an opinion on the question. When every one has had his say the chief and elders withdraw to discuss the matter among themselves and to agree upon the decision. The disputants accept the verdict of the chief and the elders and, later, the owner of the animal gives the chief a young steer or a ram unless he is a very poor man, when he gives him nothing.

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If a man has a dispute with another of the same neighbourhood they may both go to the homestead of a local leopard-skin chief and lay their spears on the ground in his byre. A man would not plant his spear upright in a chief's byre, and I was told that were he to do so a bystander might appropriate it, as disrespect had thereby been shown to the chief. When both men have stated their views the chief and the elders discuss the matter outside the byre and re-enter it to acquaint the disputants of their decision. The person in whose favour the decision has been given hands his spear to the chief, who either gives it to a friend or spits on it and returns it to its owner. It was clear from the way in which my informants described the whole procedure that the chief gave his final decision as an opinion couched in persuasive language and

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792 possessed, even if a generation or two later, and the chosen vessel generally becomes aware of its entry by experiencing severe sickness with delirium. Ordinary Nuer, particularly if they are young, do not want to be possessed, and it seems that it is often an abnormal person who is possessed in the first place, while it is the most ambitious of his sons on whom his mantle falls, for he would seem to welcome possession, although not undergoing fasts to procure it. Gwek was killed by Government forces in 1928. Another famous prophet, Diu or Dengleaka, of the Gaawar tribe, was a captured Dinka who set about to acquire a spirit by fasting and solitude. He later achieved fame and power by successful campaigns against the Dinka, whose country his followers occupied, and against Arab slavers. Like Ngundeng he had a reputation for performing miracles. Dengleaka died in 1908 and his son Dwal became possessed with the spirit of the Sky-god, Diu. He is at present a political prisoner. The only prophet I have met, Buom, of Dok country, was possessed by the spirit of a Sky-god, Teeny. He was regarded as selfish and greedy by his neighbours, having been cunning enough to get himself accepted as a Government chief. He showed too great ambition, however, and is now in exile. Well-known prophets, in other parts of Nuerland, were Mut of the Eastern Gaajak, Kulang in Western Nuerland, and others.

792 Brief reference must be made to the very remarkable pyramid
778 erected by Ngundeng, and added to by Gwek, in the Rumjok section of the Lou tribe. It was fifty to sixty feet high with large elephant tusks planted round the base and at the summit. Dr. Crispin's photograph on Plate XXV, taken in 1901, shows the pallsade of ivory tusks, the type of material of which it was constructed, and weathering, due to rains, round the base. It was blown up by Government forces in 1928. The material used in construction consisted of ashes, earth, and debris excavated from sites of cattle camps. People came from all over Lou and the Eastern Jikany tribes, bringing oxen with them for sacrifice, to assist in the building. Nuer say that it was built in honour of the Sky-god Deng and for the glory of his prophet Ngundeng. There is no doubt that the cult of Deng was of Dinka origin and probably the idea of a mound came from the same source. Besides the famous Lou pyramid there is said to be a smaller one at Thoc in Eastern Jikany country, built by a prophet called Deng, son of Dul.

792 Nuer are unanimous in stating that these prophets are a recent development. They say that Deng descended from the sky in recent times—within living memory, in fact—and that he was the first, or almost the first, of the Sky-gods to come to

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792 earth. They state that in the old days there were no prophets; only the ritual officials mentioned earlier. The records of European travellers are not explicit enough to confirm or reject this statement. Poncet says that among the Nuer in his day were rich and important persons, honoured after their death, whom he calls *devins ou sorciers* and *jongleurs*,¹ and Brun-Rollet says that the Nuer had a kind of pope for whom they had veneration akin to worship, but his account is too fanciful to carry weight.² Whilst it is difficult to believe that there were

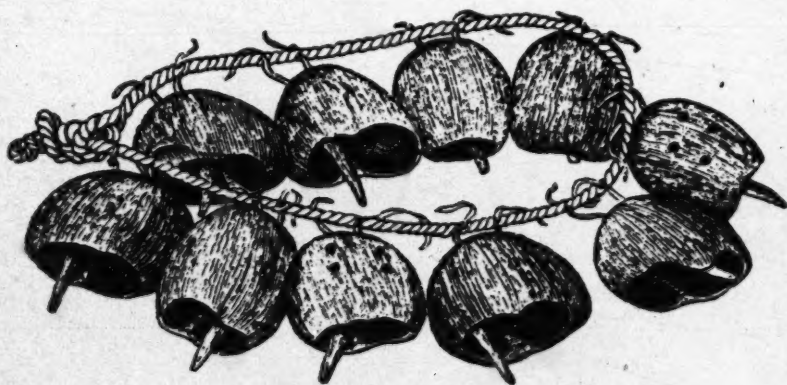


FIG. 13. Calf's bell-necklace of palm nuts.

[17] no cases of possession sixty years ago we must, in the absence of conflicting evidence, accept so unanimous a declaration by Nuer that there was no possession by Sky-gods, and it seems fairly certain that if there were any prophets at that time their influence was restricted to small localities and had not the tribal significance of more recent times. There is some evidence that the development of Nuer prophets was related to the spread of Mahdism from the Northern Sudan. However that may be, there is no doubt that powerful prophets arose about the time when Arab intrusion into Nuerland was at its height and that after the reconquest of the Sudan they were more respected and had more influence than any other persons in Nuerland.

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619 Nevertheless, we consider that the power of these prophets, even of the most successful ones, has been exaggerated and that

¹ Poncet, *op. cit.*, p. 40.

² Brun-Rollet, *op. cit.*, p. 222.

THE AGE-SET SYSTEM

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561 bably always been the same number of sets in existence at any time and these sets always have the same relative positions to each other in the system, regardless of actual groups of men composing them.

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177 It is significant that among the Nuer, as among other East African peoples, the age-set system is the first institution to undergo rapid and great modification under European rule and that the other social systems do not appear to be affected by the changes in its constitution. This tends to confirm the opinion we have earlier expressed, that whilst the age-set system is combined with the territorial and lineage systems in the same social cadre and is consistent with them, the consistency is not an interdependence.

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554 Within the age-set system the position of every male Nuer is structurally defined in relation to every other male Nuer and his status to them is one of seniority, equality, or juniority. It is difficult to describe these statuses in terms of behaviour, because the attitudes they impose are often of a very general nature. The following points may, however, be noted. (1) There are certain ritual observances and avoidances, chiefly between members of the same set, but also between sets. The most important of these are the segregation of the sets at sacrificial feasts, to which we have referred, and the stringent prohibition on members of a set burying an age-mate or partaking of the meat of beasts sacrificed at his mortuary ceremony; but there are a number of other ritual injunctions. (2) A man may not marry, or have sexual relations with, the daughter of an age-mate, for she is his 'daughter' and he is her 'father'. Also, while a man may always have sexual relations with the daughter of one of his father's age-mates he ought not to marry her unless either his father, or her father, is dead, and then only after the parties to the marriage have exchanged beasts in atonement to the age-set of the fathers. (3) Members of the same age-set are on terms of entire equality. A man does not stand on ceremony with his age-mates, but jokes, plays, and eats with them at his ease. Age-mates associate in work, war, and in all the pursuits of leisure. They are expected to offer one

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6: Evans-Pritchard E-5 (1931, 1936) 1938
FJ22 Nuer FJ22

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fires, but they are quickly driven into huts and byres to seek protection amid the smoke of their fires. The doors of the huts are closed tightly, air-holes are blocked, and fires are lit. Mosquito-nets are the only European product, apart from spears, for which the Nuer express any great enthusiasm, but very few, perhaps one in several thousand, possess them. 136 439 177b

During my residence at Mancöm on the Sobat in July, 1935 I was almost eaten alive by mosquitos. My cotton mosquito house afforded me some protection at night but insects soon made holes in it and the mosquitos entered. Moreover, they swarmed outside like a beleaguering army and on my leaving or entering the house battalions invaded it. The worst time was between six and nine o'clock in the morning when hundreds of mosquitos collected in my tent to escape the sun so that it was impossible to sit in it without being repeatedly bitten. One gets little rest, and fever is sooner or later inevitable.

Mosquitos are absent away from pools and river banks in the dry season and even in the vicinity of water—and one must live near water—they are not troublesome from January to May. In the dry season, therefore, the cattle sleep in the open, the herd being surrounded by windscreens in which the Nuer themselves sleep. If a beast of prey approaches people know of its approach by observing that the cattle are restless. The alarm is given and in a moment the whole camp is awake and men rush, with spears in their hands, to the place of danger. I have seen camps awake half the night chasing lions away, for a lion makes many attempts before he acknowledges defeat. But even in the dry season dung fires envelope the camps in smoke at night to protect the cattle from insects. 233 136

According to the Nuer it was Woman who first brought mosquitos to the habitations of men. Woman found Mosquito in the open plain and asked him "What do you eat?" Mosquito replied, "Oh! grass. Just nothing." Woman said to him, "Well come home with me and we will share our homestead together" When God heard Woman's words he asked her, "What about your husband?" Woman replied, 136 773

INTRODUCTION

671 Ordinance of 1931.¹ Such terms appear frequently in the official records of Colonial Governments and in the Anglo-Egyptian Sudan, but they are something of an anomaly if any strict definition of the word 'law' is applied. I shall turn to this question of definition and the nature of Nuer law later. Here such terms are sufficient to indicate generally those customary rules governing human relationships which, among the Nuer, were in the past subject to sanctions too indeterminate to be called legal, but which are now applied with a consistency and organized force sufficient to justify the use of the word 'law' in a more exact sense.

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177 Nuer courts are an innovation. Though there may have been irregular meetings of elders and ritual functionaries to decide matters of local concern, there was no organized political body which could enforce its decisions, even though other sanctions were sometimes strong enough to ensure conformity. Since public security was the primary aim of Government in the early years of the administration of Nuerland and breaches of security usually arose from disputes over matters which to us may appear comparatively trivial, the establishment of such tribunals was the first and perhaps most important move in the development of the Nuer towards management of their own affairs. It was certainly one which brought about the most profound changes, as will be seen later. In those early years most of the decisions were made by the District Commissioner himself, often with curious subsequent results, even though consultation with Nuer representatives was always an important feature of the procedure.

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123 Now that these courts are rapidly developing in most Nuer areas and there are already the beginnings of a proper separation of the judiciary from the executive, the District Commissioner is called upon less frequently for personal arbitration in matters which should be settled with full reference to traditional rules and established precedents. From the time when I first visited Nuerland it was the agreed policy of the Government to interfere less and less in such matters, for not only was it the ultimate object of such courts to provide an indigenous mechanism whereby civil disputes might be settled amicably, but it was realized that the alien administrator can never achieve sufficient knowledge of the complexities of Nuer law to settle such disputes himself. Even if he succeeds in abandoning the conventions which spring from his own environment, he cannot see such cases from the same viewpoint as the Nuer. His only advantage is impartiality which alone is insufficient to justify interference. Criminal law is a different matter, for the concept of punishment was previously unknown to the Nuer, but even in this they must be made to settle

¹ 7 (i). A Chief's Court shall administer—

(a) the native law and custom prevailing in the area over which the Court exercises its jurisdiction provided that such native law and custom is not contrary to justice, morality or order.' Extract from Chiefs' Courts Ordinance, 1931.

SOURCES, METHODS, AND OBJECTIVES

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their own affairs and the success with which their courts now deal with matters of criminal responsibility is a tribute to their growing appreciation of the need for internal security. I mention this with some feeling because in those early days it was a real struggle to resist the endless demands of individual Nuer for assistance over civil claims, a most trying experience which every District Commissioner who has served in the area knows. Nevertheless, at the present stage of development and perhaps for some years to come, the appeal from these courts is to the District Commissioner and the Governor of the Province. This being so, a knowledge of the basic principles of Nuer law is essential. It is necessary not only in connexion with specific cases, but also for the direction of policy in the development of the courts themselves. This need will continue even in the changing circumstances of the Sudan as a country whatever the nature of its constitution, and this book is written to meet it, as well as to record the evolution of a system of law.

It is sometimes argued that a government official, especially one with the executive powers of a District Commissioner in an undeveloped area, is an unsuitable person to carry out an investigation of this sort. His position may discourage sincere and truthful answers to his questions. I am aware of this argument and am prepared to accept the criticisms which may follow. Anyone who knows the close and positively wearing relationship of intimacy which exists between Nuer and their District Commissioners will, however, realize that the latter have many advantages. Having heard the details of a Nuer dispute over rights in cattle, and the same sort of dispute over and over again, he can get a pretty shrewd appreciation of the merits of the case and of the principles of law involved. Moreover, though the Nuer have a proper respect for the authority of their District Commissioner, no one could argue that this in any way curbs their blunt methods of expressing approval of his decisions, or more often disapproval. The relationship between the District Commissioner and the Nuer is peculiar and perhaps unique. He becomes a tribal institution adapted by the Nuer themselves to meet their own needs in rapidly changing conditions. He is addressed by his 'bull-name', greeted as an intimate by men and women of all ages, praised, but often severely criticized, by the chiefs. A Nuer 'bull-name' is a passport to the most intimate circles in any Nuer cattle camp or village. I often felt that it was I who had to struggle to maintain at least a vestige of the culture from which I had come.

In cases where my opinion was sought it is true that both sides would try to mislead me both on the principles of law and on the facts. I was fully aware of this. This approach did not apply to me alone; in nearly all legal disputes it takes a most exhausting process of interrogation amid a battery of lies before the truth is reached, for

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mainly to provide the dead man with a wife. Other claims must be met first. Of the forty head of cattle some go to the kinsmen in the manner already described, others go to the Leopard-Skin Chief and his assistants, still others are sacrificed, so that only between twenty and thirty are left for the 'ghost-marriage'. These are normally kept until they increase sufficiently to reach the mark of current bride-wealth, and may then be supplemented by other cattle to which the dead man would have had a claim were he alive. Nevertheless Nuer feel that the two payments should be equal; a life for a life or a wife for a life, a logical equation which is entirely consistent with the principles of their customary law.

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Observations on the Effects of Government Policy

Nuer are able to quote instances where compensation was paid and blood-feuds settled in the past before the advent of the present Government, but this does not mean that every case, or even the majority of cases, was settled. There is no doubt that blood-feuds, especially between tribal segments remotely related in terms of space and kinship, often continued for many generations, and the tradition of such feuds is still a source of political friction and a problem which faces the Administration today. Even when compensation has been paid and the ceremonies of composition performed the feud may break out again with renewed vigour. Generally speaking, the nearer the social relationship of the opposed groups, the greater the likelihood of permanent settlement. This observation applies theoretically, but only in the sense that in the initial stages feuds between less closely related groups were more likely to continue and no action be taken to bring about an agreement. In fact, they do not often continue nowadays because the Government intervenes and acts as a purely artificial and new medium through which hostile groups are brought together. Paradoxically enough, it is nowadays often the case that feuds between closely related groups are the most difficult to deal with. The reason is, I think, that feelings of hostility receive the permanent reminder of almost daily communication, while the primary sanction for composition, the threat of aggressive action by other groups, is much modified by the action of the Government in maintaining the peace.

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The concept of punishment of the individual for offences which we, but not the Nuer, regard as criminal is another innovation which has had widespread repercussions. In cases of homicide capital punishment is sometimes inflicted and imprisonment or fine or both are always applied. Further, in cases of major conflict, fines are sometimes exacted on a collective basis, and in any case, even if the fine is inflicted on the individual culprit, it amounts to collective punishment because in Nuer society the principles governing mutual assistance in

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● 177 the collection of bridewealth, bloodwealth or other kinship obligations automatically come into operation. The fear of punishment is therefore a collective deterrent, and this, with the general realization that payment of compensation will invariably be enforced, has undoubtedly reduced the incidence of homicide. It has also to some extent had the effect of strengthening public opinion opposed to the use of violence, and people are likely to go to greater lengths to restrain their fellows. Conversely, the certainty of punishment and of the enforced payment of compensation has lessened the fear of retaliation and has resulted in a corresponding reduction in the force of those sanctions which make for the fulfilment of social obligations.

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593 Although the concept of punishment inflicted by the State is alien to the Nuer, its introduction has not been difficult, and the deterrent effects are appreciated by chiefs and court members. In general terms, however, a European system of criminal justice is not always understood. Fratricide, for example, is considered a great wrong, and is one which is likely to shock Nuer deeply, but it does not demand any restitution or compensation. A man who kills his brother is injuring himself, and although this may demand a readjustment in matters of inheritance, he cannot pay compensation to himself. Moreover his action runs counter to the very basis of Nuer social sentiment and conflicts with their ideas of kinship solidarity. It is an act almost on a par with suicide, which is fraught with spiritual dangers to the surviving kinmen. Fratricide is the negation of all social principles. The killer will have to undergo a complex process of ritual purification to appease the wrath of the ancestral spirits and to avoid the misfortunes which may follow, but he will not pay compensation to himself or his brothers. Similarly when a man kills his legally married wife he is causing an injury to himself, for he has paid cattle for her which will now never be returned. Again he will have to undergo ritual purification, will have to give a few cattle or other gifts to his relatives-in-law, but unless he has not completed the bridewealth payments, he will not have to pay compensation in the normal sense. In such circumstances the Nuer find the greatest difficulty in understanding why the Government should seek to punish the culprit, and a Nuer court will usually resist an attempt to do so. If the case is taken out of their hands by the formation of a Major Court under the Presidency of a District Commissioner or Judge, there is little comment and they will accept the sentence, but it would be difficult to persuade a Nuer court to pass sentence itself.

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178 Apart from the difficulties of understanding an alien system of justice, there are other factors which have had repercussions on the application of traditional Nuer law and in particular on the scales of compensation demanded for a wrong. It seems probable that with the absorption of Dinka elements and natural increase, human population

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is now much greater in relation to cattle than it was in the past. In addition, diseases have taken a heavy toll and the Nuer are unable to replenish their stock by raiding other tribes. As a result, bridewealth has decreased substantially, and Nuer have at one time or another felt that bloodwealth should be decreased in proportion. In most Nuer districts this has found its own level. In three of the then four Nuer districts the indemnity for homicide was reduced to only twenty head of cattle. This did not occur in Western Nuer District, where compensation remained at 40 head of cattle, but whether this was due to purely economic causes is not easy to discover. The Western Nuer have always had a reputation for being rich in cattle as compared to other Nuer tribes, though this is not entirely borne out by recent statistics. These changes have again been altered by recent legislation.

Recent Legislation Concerning Homicide

At the Nuer Council meeting in 1945 it was generally agreed that compensation for homicide should be raised once more in those districts where it had been reduced, and should be standardized at 50 head of cattle, of which 10 should go to the Government as a fine. In the absence of a sufficiently strong body of public opinion opposed to violence and the taking of life it was felt that this action might serve as a greater deterrent among the Nuer. More remotely related persons would be called upon to subscribe and, since payment of compensation is now rigidly enforced, there would be greater efforts by the people to settle their disputes without resort to force. It must be stressed here that this argument, though put forward by the Administration, was fully understood and appreciated by the Nuer chiefs present at the meeting, and the majority voted for the increase in the indemnity. Yet the argument is itself a doubtful one. In Western Nuer District, where compensation was never reduced, fighting and bloodshed were more common and widespread than in other Nuer districts.

The increase of compensation may have widespread repercussions in other spheres. Captain H. A. Romilly, District Commissioner of Eastern Nuer District, writes:

One of the main decisions reached at the Fungah Meeting of 1945 has been to standardize blood-money at 50 head of cattle and to adjust other compensations accordingly. In Eastern Jikary this has had two main results:

(a) First it has put up bride-price, and a marriageable girl has even less say than before in whom she marries. The heads of families and chiefs are responsible for debts being paid off, so the girl is sold off to the highest bidder, regardless of her feelings. This naturally results in more elopements, adultery, and divorces and consequently an increase in litigation.

(b) The second result of the increase in blood-money is the reluctance of the chiefs to break up which is a system by which relations exchange cattle

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602 on the marriage of their female relatives. Previously, if relationship was distant, the chiefs would agree to no cattle passing and the 'breaking' of war, but since the Fangah moving chiefs are very reluctant to break war as the more so-called relations there are available to collect blood-money, the better.¹

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177 In connexion with the first repercussion mentioned by Captain Rosilly, it would appear that the object of this legislation has been defeated. Not only is litigation increased in the courts, but the result has been an increase in the very kind of dispute—elopement, adultery, divorce, &c.—which is so often the cause of violence and bloodshed.

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621 The second result noted by Captain Rosilly among the Eastern Jikany Nuor is not necessarily a social evil, as he seems to suggest, and indeed was one of the intentions of the action taken in raising the rates of compensation. We have seen that the social structure of the Nuor has been subjected to severe strains, and since social groups in the past were at least partially maintained as co-operative units by the retaliatory sanction and the need for mutual protection, a reduction in the incidence of violence and of blood-feuds has naturally tended to reduce group solidarity. The lessening of the retaliatory sanction has led to an excessive process of fusion without the accompanying process of fusion. Unless this process is checked, or at any rate the speed of the process lessened, there is a tendency towards social decay and even chaos before a new form of social organization based on territorial factors and local government can be substituted. Captain Rosilly of course refers to the consequent increase in litigation in the already overburdened courts because the retention of the widest range in war, 'kinship', means a larger circle of people involved in relationships which demand mutual assistance and therefore an increased number of claims in a cattle exchange system.

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682 The Nuor courts which have been established by the Government are a form of machinery through which the social system is maintained. As I have explained previously, this has introduced a political authority upholding the customs of a social system, and custom therefore becomes law in a more precise definition of the term. Customary payments of compensation for wrongs (*dur*), normally only likely to be effective because of the fear of condemnation by a restricted community sentiment and a consequent loss of privilege and security, are now enforced as law. Cases are raised in the courts which would never have had the slightest chance of success in the past, and judgments are enforced because a too literal application of the traditional principles is made. A typical example of this is *ayidialit*. It seems likely that in the past *ayidialit* was only demanded in cases where the persons concerned were very closely related and then on a much reduced scale.

¹ Unpublished administrative records (Eastern Nuor District), 1948.

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probably as a token payment. I have not been able to find evidence of *thung nyindiet* being paid in pre-government times. Yet, until it was abolished in 1945, the demand for *thung nyindiet* was frequent, and although the claims were sometimes carried to extremes of fantasy, they were also frequently enforced. For example, the family of an old headman, Loiny Kur, who must have been over seventy and scarcely able to walk for several years before he died, at once claimed compensation for his death, which, they claimed, was due to a blow on the head. Further investigation revealed that this blow, which caused him considerable discomfort at the time, but no more, was delivered about forty years before his death.

At the meeting of 1945 it was agreed to abolish claims for *thung nyindiet*, but over this a further difficulty arose, because there is no clear distinction between what would be called *thung ras*—compensation for direct killing—and *thung nyindiet*. A man may linger on in a disabled condition as a result of a blow for years before dying. In this case, if compensation for an injury has been paid, the cattle and their offspring will be assessed as part of the claim for bloodwealth, for this is one of the objects of compensation for hurt; but there are some injuries which do not in Nuer custom demand any compensation at all, notably blows on the head. The final ruling given by Chiefs at the 1945 meeting was as follows:

Nyindiet is abolished. Only compensation for a man who dies as a direct result of a wound may be claimed and then full compensation will be paid. The test is this: if a man, as a result of a wound, is confined to his home and is unable to take part in the normal economic activities of the Nuer and finally dies after a period of years, then full compensation will be claimed. If he recovers, then if compensation for an injury is applicable according to Nuer laws it should be paid.¹

This has subsequently led to much confusion, though the meeting of 1947 recorded that 'a series of test cases with the chiefs of Eastern Nuer straightened out their ideas.' This is an instance in Nuer law in which the circumstances of the case, as deduced from formally recorded evidence, must be the guiding factor and, as medical facilities increase, medical evidence also. In normal homicide cases brought before Nuer courts, the facts are not generally in dispute or concealed by the defendant party.

Recent legislation (in 1947) by the Nuer Chiefs' Council has also abolished the payment of *ghak pale loir*, mainly because in some parts of Nuerland there was an endless demand for such compensation as final payment for cases settled years ago. The idea exists in tradition, but was clearly of very rare application. As we have already seen, *thung yilar* has also been abolished.

¹ Minutes of the Nuer Chiefs' Meeting, Fongak, 1945 (unpublished).

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that Kwol was in no sense the husband of the woman. She was Aangh and merely living as his mistress. Court adjourned the case until further evidence could be got from Western Nuer District, where the woman's family lived (obtained through the District offices concerned). The evidence finally produced showed that Kwol had paid her family three head of cattle and a small sum of money. It was also proved that the woman had been living with another man in Malekal (Province Headquarters) until she took up with Kwol. Court ruled that the woman was Aangh (unmarried) and dismissed the case.

[177] This kind of dispute is, as a matter of fact, not infrequent, and is the result of the increasing number of unmarried women who move from one man to another or live at Government Posts where they have greater freedom and are attracted by the facilities which urban life provides. The men who cohabit with them are often themselves detribalized in the sense that they seek permanent work and cash. They are usually from poor families, and cannot afford to get married in the normal way. In the first instance, they seek work so that they can buy cattle at the auction sales held periodically by the Government, but soon they become attached to an urban life and find that the expense involved gives them little opportunity to save in any case.

Poot Dwil v. Mut Loirryok (Central Nuer Appeal)

Poot Dwil claimed damages from Mut Loirryok for adultery with his wife. Mut agreed, and paid two of the six head of cattle awarded, but subsequently demanded their return on the grounds that Poot had not married the woman. This argument was finally taken before a court, which ruled that the union was not legal. The woman was Aangh (unmarried) at the time because *are ghok tuc*, 'he had not performed the ceremony of *tuc*', the cattle had not been bespoken. Further, and this was regarded as all-important, *are ghok are mut*, 'his wife had not been shaved', referring to the ceremony of *mut*. Court ruled that cattle should be returned to Mut. Poot then appealed, and brought further evidence that not only had the bridewealth cattle been paid (17 in all), but that he had full intention of performing the ceremony of *mut* when the incident occurred. He had not carried out his intention because of the incident. Poot further stated that he would insist on dissolution of marriage unless its legality was accepted. Appeal court accepted the evidence that the ceremony of *tuc ghok* had been performed, and that evidence of preparations for the *mut* on his part was also evidence of his intention. Court ordered Mut to pay a total of six head of cattle, i.e. full compensation for adultery.

The Main Legal Principles

684 The main legal principles concerning adultery can therefore be summarized as follows:

(i) An act of adultery is a wrong against the legal husband of the woman, and requires the payment of compensation in the form of six head of cattle, of which five are intended to appease the wrath of the husband for an infringement of his rights in his wife, and the sixth, called *yang huk*, is to compensate him for the risk of impurity

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583 the bridegroom. The question arises whether or not he will meet this particular claim. If pressed he will probably do so because the bride's family might terminate the negotiations, though this is unlikely to happen over so remote a claim as the cow of the age-mate. In the second place the bride's father is concerned with his age-mate, and here there is an element of reciprocal exchange.¹ A cow is not given to all age-mates of the bride's father, only to one who has a particularly close connexion with him and has probably undergone with him the ritual processes of initiation which impart a mythical association analogous to kinship. We see therefore that the custom is a complicated one involving two separate transactions and subject to different sanctions. If a dispute over this payment reached a Nuer court, payment would in most instances be enforced. When there are sufficient precedents to constitute a consistent application of a custom of this sort, we should be justified in speaking of the claim as a legal and enforceable right.

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791 Again, certain categories of magical experts are entitled to a fee for their services. Such claims often appear before the courts. The court will consider the circumstances, estimate whether the alleged benefits have been received or not, and if necessary order the client to pay the fee. The transaction is in the nature of a contract which is now enforceable in law. In the past the sanctions were retaliatory, though in this particular instance forceful retaliation would be unlikely since more commonly the magician's supernatural powers, which might be used against his client, would be feared.

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673 Compensation for wrongs, recognized in tradition, expressed in traditional scales, and originally a basis for compromise, is now enforced in the Courts. Adultery, for example, is a recognized wrong and one which should be rectified by the payment of a suitable indemnity. Whether or not this was paid in the past depended again on the sanctions prevailing, but nowadays the wrongdoer will in the final event be compelled to pay. This applies to other legal wrongs, such as the seduction or impregnation of unmarried girls, and theft or damage of property.

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177 Among the Nuer there is a vast field of custom and convention which is now supported by legal sanctions and thus becomes the law. Moreover this transformation of custom into law is being carried to extremes among the Nuer, for there is an increasing tendency to treat all social customs and conventions as enforceable laws.

Throughout this discussion of Nuer customary law we have sometimes been speaking of the present, sometimes of the past. Under the influence of modern administration systems of social control are

¹ The age-mate will receive the cow if the bride's father has received a like privilege on the marriage of the age-mate's daughter or has the expectation of doing so. See p. 110 and n. 3.

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changing very rapidly, so that this distinction in time is clearly essential. We have seen that most social obligations and systems of social control were maintained in the past by sanctions which made conformity essential or at least expedient. Such sanctions were operative upon individuals or groups and their force was variable according to the position in the social structure of the parties concerned. Theoretically at least, the law was the same but its application was relative. For the most part the establishment of Nuer tribunals, with the threat of force behind them, has provided a substitute for other means by which the political balance was maintained.

In the initial stages of administration the policy was to intervene only in those affairs which constituted a breach of the peace: affray, continued blood-feuds, or individual fights. This action was to modify or even remove the retaliatory sanction. The next stage was to intervene in matters which were likely to lead to a breach of the peace, and to see that disputes were peaceably settled. Both actions took the form of direct intervention by the District Commissioner, his decisions being enforced, as far as was then possible, by State police. The next stage was the appointment of tribal agents. This led to the establishment of Nuer courts whose authority was backed in the first instance by the tribal retainers or 'Chiefs' police', some of whom were armed with an outmoded pattern of rifle, but was upheld in the final instance by the District Commissioner. Since then Nuer courts have gradually developed in efficiency, power, and formality of procedure, until in some areas they may be said to compare favourably with similar courts in the more developed parts of the Northern Sudan.

This raises another important point which is relevant to a study of Nuer law. The courts are not equally effective or efficient in all parts of Nuerland. The extent to which past sanctions have already changed, and the rapidity with which they are changing now, are therefore not constant. For example, the difference between such tribes as the Lak and the Nuong is considerable. The Lak of Central Nuer District, whose country is close to the administrative headquarters of the province and the district centre at Fangak, who are easily accessible at all times of the year, and whose permanent settlements are concentrated, have been closely administered for the past twenty years or more. The courts have reached, comparatively speaking, a high level of efficiency, and a man can usually obtain redress for wrongs committed against him. The Nuong, whose country lies in the southern extremity of Western Nuer District, which as a whole has perhaps been less closely administered than Central Nuer District, are not easily accessible at any time of the year. There are no roads leading to their permanent settlements and only one moderately easy approach to their country by river. At most they have received the personal attention of a District Commissioner for a few weeks each year. The courts,

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• 177 established it is true for many years, can scarcely be described as efficient and, unless other considerations are present or other opportunities arise,¹ a man can only obtain redress with difficulty.

I do not propose to digress further on this particular aspect of the changing political situation in Nuerland, but must draw attention to these facts because generalizations about the law as it is administered today are qualified accordingly. We can say, for example, that in Lak country a Nuer will almost certainly obtain compensation for an act of adultery committed with his wife and in that area there can be few adulterers who escape the penalty, but this statement would not be true of Nuong. In Nuong country the courts may be instrumental in bringing a similar dispute to a satisfactory conclusion or they may not. If a dispute is not settled by the intervention of Government-sponsored authorities, then the likelihood of the indemnity being paid to the wronged husband depends largely on sanctions similar to those operative in the past. It is true to say that in those areas where the courts are least effective these sanctions are proportionately stronger, mainly because there is in consequence less public security, and retaliation, the strongest sanction of all, is for this reason much more likely. It would be unsafe to make further generalizations because the likelihood of a dispute being settled, even in these days and even in the most advanced areas, still depends on so many variable and unpredictable circumstances.

Modern Procedure

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696 Where courts are concerned we must distinguish between judgement and execution. It is one thing for a court to give judgement and quite another for the judgement to be carried out. Many cases which appear before the courts and appeal courts are no more than demands for execution of a previous judgement. It must be presumed that, if a dispute reaches this stage of legal procedure, it is unlikely that other sanctions unconnected with the court will be effective in bringing about execution once judgement is given. Yet in many cases the main function of the court is to establish publicly and to the satisfaction of both disputants that one of them is in the right. In the past it may have been fully recognized within a community that a man had a definite right to certain cattle, either in fulfillment of some obligation, in settlement of a debt, or as compensation for an injury. There was, however, no organized body representing public opinion to enforce payment. It is true to say that such a body now exists in the court itself and in the administrative agents with executive powers appointed by the Government; but the action taken by them

¹ Such as personal relationships or close friendship with chiefs or nobles who have a degree of authority accorded to them by the Government. Similar comparisons may be made between all the different tribal areas in Nuerland. I was struck by the contrast in this particular instance on a visit to the Nialing Nuer.

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681 certainly mean that he will be called upon to pay compensation and forced to comply. In the past there was no certainty that he would be compelled to pay compensation, but there was always present a real danger of vindictive retaliation, and the latter sanction appears to have been more effective in the past than the former is in the present. For this reason adultery is a more common offence than it was, or so the Nuer say, and here again there is an increase in litigation.

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691 We find, then, that the establishment of the courts, though in one sense preserving the social system from complete breakdown, is in another sense contributing to social maladjustment. Moreover the establishment of courts with powers of coercion behind them tends to stimulate litigation because the courts provide a mechanism through which claims may be pressed which, by reason of the social or spatial distance between the parties concerned, would formerly have had little or no chance of success. In other words, claims in the courts receive the sanction of alien authority which has a wider range than the sanctions which previously made for their fulfilment. The relativity of application is now fast disappearing. We find at one end of the scale increased litigation due to the enforcement of claims which in the past could have had no legal reality. At the other end of the scale we find the modification of sanctions which in the past would have ensured unquestioned fulfilment of reciprocal obligations; a modification which leads to social disintegration of which increased litigation is a symptom. In the first place the Nuer are bringing before the courts actions which previously would have stood no chance of settlement. In the second place the obligations of social existence are more and more maintained only by direct action through the courts. The problem of increasing litigation is a serious one. It is one of the basic problems of administration among the Nuer.

'Balanced Opposition' in the Court System

621 In the past each social unit of Nuerland existed largely in opposition to other units. The need for common defence, mutual co-operation, and collective enterprise in economic activities were the principal factors which maintained the identity of territorial groupings, the relation between the territorial and political aspects being expressed in kinship terms. Each tribe, each tribal segment, each local community, was identified with a dominant clan or lineage. These formed the nucleus of groups of people not otherwise related, and links were forged between them on a kinship analogy. Such cohesion, which was not in any case constant, was therefore the result of the interaction of several factors. Although the Nuer were involved in aggressive warfare with the Dinka during the period of their expansion westwards in the last century, it is clear that tribal segments

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rights of others, may be punished by fine or imprisonment. More-over certain legal wrongs, which in the past were never more than private delicts and were composed by the payment of compensation, aimed at the restoration of this balance, are now becoming criminal offences in a more exact definition. 671

Under the influence of the Administration over the last twenty years or more the Nuer, as represented by their local authorities, are rapidly becoming conscious of the value of punishment as a deterrent. Court members will sometimes say that they are punishing a man both because his action has been detrimental to society as a whole and has created a disturbance, and also because such disruptive actions must be checked. Public opinion as a whole is not advancing very rapidly in this respect, and it is significant that there is still no social stigma attached to imprisonment. The average Nuer does not understand why imprisonment should be inflicted at all, especially if compensation is also paid to the injured party. This is apparent, but it is perhaps worth while to consider this attitude in connexion with certain offences. We have already noted that the Nuer cannot understand why a man should be punished for killing his wife.¹ The damage done has been done to himself, and though he must make peace with his ancestral spirits, for he has sinned against the whole concept of kinship and the continuity of the lineage, and must pacify his wife's relatives with gifts and acts of atonement, nothing more should be demanded of him. His act, like suicide and fratricide, is the negation of the basic principles which underlie kinship. He has used the cattle of his lineage to marry a wife, he has killed her, lost the cattle, and compromised his position in posterity. His act is reprehensible enough for these reasons, but why should he also receive punishment at the hands of the Government? Similarly, an act of adultery requires an indemnity to be paid to the man whose rights have been infringed. Once paid, what need is there for fine or imprisonment? This is a general attitude, even though punishment is so frequently applied that the Nuer have come to expect it and even demand its application to those who have transgressed against them. 681 177 • [682]

When we come to analyse the position more closely, however, we find that there are few offences which can yet be classified as criminal. Homicide and bodily injury are the main exceptions to this observation. Murder is often punished by death and other forms of homicide are now settled by the payment of fifty head of cattle.² Forty of these go to the kinsmen of the deceased in the traditional manner, but ten go to the Government and must be called a fine. In addition, unless there are exceptional circumstances which mitigate the offence, the killer is sentenced by the court to imprisonment for a period varying from one to six years. Though in the early stages of administration [684] 692 681 [682]

¹ See p. 62.² See pp. 43 et seq.

692 this was usually inflicted by the District Commissioner sitting as a
 681 magistrate, or by the court on the advice of the District Commissioner,
 this form of sentence is now imposed almost automatically. Yet although
 there are clearly some Nuer chiefs who realize the value of imprisonment
 as a deterrent, the majority would not impose such a sentence without
 pressure from the administration. Moreover such punishments are often
 inflicted without due consideration of the circumstances of the case, and
 it is symptomatic of the general attitude to punishment that court mem-
 bers have a habit of asking for fixed sentences to be laid down for
 specific offences. It is, indeed, one of the problems of the Administra-
 tion to explain to the Nuer that, though there may be a maximum
 penalty for an offence, this need not necessarily be applied. The
 reason is that, although Nuer chiefs and court members may be
 aware of the value of punishment, they are still reluctant to inflict it,
 especially as they are often subjected to recrimination by their fellows
 after the case is over. A fixed penalty absolves them from this and
 throws the responsibility on the Government. Nevertheless homicide
 and hurt must now be classed as criminal offences among the Nuer
 because they are habitually treated as such, albeit under protest. This
 observation may be applied also to theft.

[687] In other offences in which punishment is sometimes but not always
 applied, we find that it is not usually the offence itself which is treated
 as a criminal action but the offender's action in disobeying the orders
 of the local authorities or the court. The punishment is inflicted for
 the defiance of authority by the offender rather than for the offence
 he had originally committed.

681 It is also clear that the introduction of penal sanctions has some-
 684 times led to a curious mixture of legal concepts. For example, adultery
 is, as we have already seen, an offence which is normally compounded
 by payment of compensation to the wronged husband. Even though
 offenders are sometimes punished for persistent attention to the wives
 of others or for flagrant defiance of the orders of their chiefs, adultery
 remains essentially a private delict. For the reasons already described,¹
 if a divorce follows an act of adultery, it is a fundamental principle
 among the Nuer that the compensation cattle must be returned to the
 adulterer and should not be retained by the woman's husband, who
 would otherwise pass them to her family. To do so is to risk a con-
 fusion of legal status which Nuer law seeks to avoid. Owing to a
 recent decision by the Council of Nuer Chiefs, these cattle must now
 be paid to the Government and thus become a fine. Adultery, initially
 a private delict, becomes a public delict, and a criminal offence should
 the husband decide to dissolve the union subsequently. There is
 therefore growing up a curious admixture of traditional Nuer law,
 which in basis and principle is essentially private law, and European

¹ See pp. 166-8.

EVOLUTION OF NUER LAW

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legal concepts. This process of admixture may be seen in other legal matters and is leading to an illogical and confusing evolution. It is no part of this book to predict what will occur in the future, but it is obvious that some sort of order must be applied to a system which may otherwise become chaotic. 671 177●

We have been considering throughout these chapters a system of law in a segmentary society which is in a state of evolution. In the first place this evolutionary process is rooted in the traditional methods of controlling the acts of individuals and groups, none of which methods was rigid or enforceable. The application of the principles which we have found was not constant in time or place, but was subject to the balanced opposition of the segments of Nuer society. The evolution has also been deeply affected by decisions made in the courts, often by the direct intervention of British officials who had neither knowledge nor understanding of the principles involved. Often, too, these decisions were made in the mistaken idea that this was justice, without realizing that Nuer ideas of justice are often different from our own. Further decisions have been made which spring directly from the penal code of the country and the penal sanction enters as an active force in the administration of the law, but often without order or consistency. An attempt is being made in one direction to introduce a system which recognizes the fundamental principle of individual responsibility, in another to preserve a system which is essentially based on the principles of collective responsibility. These latter principles will continue to be effective so long as Nuer society remains homogeneous and retains its present form. Yet despite these conflicting forces, we cannot say that the customary law now administered in the Nuer courts is based not on Nuer principles but on our own. If this were so the Nuer, who are a headstrong and independent people, would not submit to it.

Nuer¹ and Dinka customs and languages are far too similar for any doubt to arise about their common origin, but in the present state of our knowledge even a tentative reconstruction of their historical relations with each other which led to the formation of two distinct cultures is out of the question. Our knowledge of neither is adequate, and probably never will be adequate, to solve historical problems of this kind. Moreover, it is not yet certain whether the many Dinka tribes differ from each other sufficiently for some of them to approach the Nuer in their culture more closely than they approach other members of their own conglomerate, though, personally, I hold this to be highly improbable. The Atwot are a peculiar case, for they speak a dialect of Nuer but are alleged to approximate more closely to some of the Dinka tribes in other elements of their culture. On the other hand, the Jekany tribes, who to-day have a typically Nuer culture, appear to be of Dinka origin. Even were we in possession of more knowledge about both nations we should still have to face the insuperable difficulty that not only have Dinka and Nuer almost certainly a common cultural origin but that there has also been continuous contact between them which has led to extensive borrowing by the Nuer from the Dinka, and possibly the process has been mutual, so that one cannot know for sure whether a similar trait in the two cultures is due to their common cultural origin or to later borrowing.

Moreover, any attempt to differentiate between the two peoples by a comparison between their physical characters is equally dangerous until a very large number of individuals whose ancestry is well known have been measured. I have little doubt myself that there are physical differences between Nuer and Dinka, though both are undoubtedly of the same race. But we have to remember that there has been absorption of Dinka on a gigantic scale by Nuer invasions during the first half of the 19th century. At that time most of the country east of the Nile was occupied by Dinka tribes who were dispersed and largely absorbed by the Nuer who crossed the Nile in waves from their home on the west bank. To such an extent were Dinka assimilated to Nuer that I consider it safe to say that not more than 50 per cent. of the Nuer to the east of the Nile are of pure descent, and though on the west bank the process

¹ I use the word "Nuer" but with a protest. They call themselves "Neth" (sing-est), and if ever a more ambitious account of them is written this term will be used.

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of expansion and absorption has not been so extensive it has, nevertheless, been considerable. Both Nuer and Dinka myths recognise their common ancestry. It will soon be possible to see how closely their cultures approach one another to-day, but I reserve this comparison until the data is more abundant.

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The Nuer have not been greatly affected by foreign influences owing to their geographical environment. Slight regional differences in environment exist, but their country is throughout hard on man and beast since it consists of an enormous plain which for the greater part of the year is either a parched desert or a swamp. These circumstances make the Nuer difficult to approach and their relations with the Government of the Anglo-Egyptian Sudan have, on the whole, been broken and unsatisfactory and culminated a few years ago in open warfare on both banks of the Nile. Subsequently, a more deliberate policy and more systematic control were established for the whole area. At an early period the Nuer came into contact with Arabs, but, though this contact was closer in some parts of Nuerland than in others, I do not believe it anywhere deeply affected their culture.

Sketch map No. I shows the position of the Nuer in relation to the Shilluk and Dinka. The Nuer themselves speak of those tribes which inhabit the country to the west of the Bahr-el-Gebel as "homeland Nuer" (*Nak cieng*) and of those tribes which inhabit the country to the east of the Bahr-el-Gebel as "bush Nuer" (*Nak deer*), and it is convenient to make this distinction also by speaking of these two divisions as Western Nuer and Eastern Nuer respectively.

II.

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Nuerland is divided into a number of territorial sections, the occupants of which form political units of the Nuer nation. These territorial sections I will call countries and the political units which occupy them I will call tribes. Thus, the Lou country is a territorial division of Nuerland and the Lou tribe is a political division of the Nuer nation. These tribes are shown on the accompanying sketch map No. II.

The published estimates of population of Nuer tribes will give some idea of their numerical importance.

RELIGION, SUPERSTITIONS, AND MORAL LAW 57

in a way this is true. The Nuer find it hard to believe 781
that God is a God of love. Even when they learn to love
Him they still find it hard to trust Him when things go
wrong. But the missionaries do not get too discouraged,
for, after all, is not that habit world-wide?

A large portion of the Nuer tribe has never heard the 177
Christian message. Of those who have heard it, few have
yet made full response. Yet the influence of those who
honour the name of Christ will make its mark upon the
Nuer and lead to the forsaking of unworthy customs
inherited from the past.

Although the Arab traders throughout Nuerland are
Moslem, their religion has not appealed to the Nuer; the
Moslem faith has so far gained no ground in Nuerland.

SUPERSTITIONS

The Nuer mind is full of superstitions, some of them 000
being age-old. They believe them implicitly; 'Would our
parents lie to us?' they ask when any doubt is expressed.
Many of the superstitions have to do with cattle (see
Chapter II) and marriage (see Chapter V.)

A woman must never drink milk during her menstrual 841
period. Nor at this time may she eat food which has been
~~cooked in a kettle~~ in which milk has been boiled. Why?
Because to do so would harm the cattle.

If a woman is impregnated while still nursing a child, 843
they cut a small piece off the ear of a dog and this is worn
around the child's neck in order to keep it from harm.
Any one walking in the footsteps of the father of this
child may be the victim of dreadful things—his head may
split right down the back.

If a child should have an attack of vomiting just after 753
some strangers have been to the village, the strangers are
at once suspected of having in part caused the attack.

THE NUER AND THE GOVERNMENT

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177 The Nuer have occasionally had trouble which has required definite Government interference to settle it.

Several years ago the Government put on a patrol to quell an uprising in the Garjak section of Nuerland. There the Nuer saw his first aeroplane. To him it meant a huge boat that could fly and from which unseen guns could be fired. Hence they call the aeroplane the 'boat of the sky'.

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791 The Nuer had great faith in one of their prophets, but when he failed to save them at this crucial time their faith in him was shattered. Again, more recently, they have been led astray by faith in another of their number—Gwek Ngundeng—and again they have found that he, too, was but a human being such as they, and no more powerful than any one of them would be.

Ngundeng, father of Gwek, had made a huge mound in the Lau section of Nuerland, and the Nuer considered this mound sacred. Many things were buried in it. But the mound was blown up by the English in the early part of their second patrol in order to shatter the Nuer faith in their god. The Nuer asked themselves—could this mound, a sacred place, be blown up? Was it possible? Then when they realized that it not only could be blown up, but had actually been destroyed, doubt entered their minds as to whether the mound had really been sacred or not.

When Ngundeng, father of Gwek, died, they then ascribed his power to his son Gwek. They had great faith in him, but when they heard that he had been killed in this patrol faith dropped to the zero point: 'Could a god be killed?' they asked. But if their faith in him died they still felt that he had been a most wonderful person, even if he were not a god. Shortly before word came of his death there had been a number of showers during the

WIDER RELATIONS AND INFLUENCES

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dry season, and as this was unusual it had occasioned 669
much comment among the Nuer. When they heard of 177 ●
his death a number of them at once assigned that fact 791
as the cause of these rains.

In December 1927 there was a total eclipse of the moon 821
which caused much alarm among the Nuer. They felt
sure that it meant destruction to them and to their country,
for was it not dripping blood? Later on, when the patrol
was put on in part of Nuerland, they felt that it was just
the fulfilment of what they had foreseen when the moon
was in eclipse.

There is a saying among the Nuer that when they have 721
plenty to eat they want to fight. That year, too, had seen
a good harvest, and fight they did. There seemed to be
many personal scores and old feuds that must be attended
to that year, and then they declared it was all because the
moon had predicted a year of trouble for them.

Not many Nuer have any conception of a country 641
besides their own and the land occupied by a neighbour-
ing tribe. They recognize their chief and his authority,
but do not seem to realize their need of a larger, higher
governing power.

Their acquaintance with this higher authority is
limited. They see their cattle taken for taxes, they usually
are willing to bring their difficulties to the District
Commissioner to be settled; they are willing to be relieved
of their physical ailments to some extent, and usually
welcome the Government doctor and his trained assistants
whom he sends out during the dry season.

The Nuer does not—or says he does not—see any good 641
in paying taxes. Some of them feel that giving their 651
cattle up for taxes is submitting without protest to a raid
from a representative of another country, and they feel
that if the Government can collect taxes (or raid their

641 cattle as they call it), they certainly ought not to object
651 when the Nuer raid the Dinka and take their cattle.

641 The Nuers learn to trust the District Commissioner
and to respect his decisions, even though they be averse
to their cause. They quite often prefer having him to
settle a case rather than their Nuer chief. And yet one of
the most respected and best loved of District Commis-
sioners was killed by a Nuer recently.

164 In the spring of 1929 an epidemic of what was at first
744 thought to be smallpox was reported in several villages.
There were no fatalities, which is very unusual in Nuerland,
for smallpox is very virulent and takes a heavy toll of life.
The Nuer is accordingly much afraid of this disease. A
clinic asked the doctor at Malakal to send vaccine, which he
did, and many were vaccinated. The fact that the Govern-
ment had sent vaccine for them and wanted to help them
made a great impression upon the Nuer. Thus they
realized that the Government did have something they
needed and wanted to give it to them.

000 In time they may learn that they not only need what
others can give them, but that they need to make their con-
tribution to the world and to life outside of their own tribe.

411 There are not many guns among the Nuer. They
depend upon the spear as their weapon, and it is usually
not far from its owner's side. From boyhood on they
are adepts at using the spear.

● 177 In the winter of 1928-9 the District Commissioner who
was stationed at Nasser as his head-quarters had three
aeroplanes come to Nasser. They stayed three days, their
pilots being his guests. He wanted his Nuer to see aero-
planes at close range. He invited the people to take rides
in them—the object being to show them that, while the
aeroplane could be used for war purposes, it might also
be used in times of peace. His interpreter was persuaded

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to take a little ride one day. Several chiefs were induced to try a ride, but one chief especially became quite frightened and a quick landing had to be made in order to keep him from jumping out. 177*

The Nuer were quite alarmed when the planes appeared that morning, although they had been told some days before that planes were to come. Children ran screaming into the houses, men and women were badly frightened and dubious as to the purpose for which the 'boats of the sky' had come. Children stayed in the houses or near their homes, women would not go up to the merchants while the planes were flying.

Many were amazed by the short time taken for the flight from Malakal to Nasser, and realized to some extent that in case of need the planes with their guns might quickly come.

In the recent patrol the aeroplanes were again used as agents of war, so it is little wonder that to the Nuer the aeroplane is a thing of destruction, and they fear it accordingly.

The Government has shown an interest in the education of the Nuer and is eager to have schools among them. The authorities have sent several boys from Abwong to the mission school at Nasser and paid their expenses while there. These boys work in various capacities for the District Commissioner at Abwong, and when he is away he is anxious to have them in school. They were apt pupils. This same District Commissioner had one of the older boys from the Nasser school to conduct a school at Abwong for one season. 871

MISSION WORK AMONG THE NUER

The American Mission has long had a station at Nasser 797
(Figs. 12 and 13). They work on evangelistic, medical,

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For a man's wife, avoidance is impracticable, but she treats her parents-in-law with great respect and, in the early days of marriage, keeps herself apart from them as much as possible. She is on joking terms with her husband's brothers since, among brothers, the wife of one is, in the social sense, the wife of all. (1)

DIVORCE

586

If a wife dies childless or if her husband divorces her the bride-wealth cattle have to be returned. If a child has been born and is left with the husband then the cattle are returned, minus six. If two children have been born, no cattle are returned. Divorce is recognised as having taken place only if cattle are returned; if a wife leaves her husband to live with another man, and her husband does not claim return of the bride-wealth, any children she may bear are his. Divorce after the birth of a child is very unusual, and after the birth of a second child, almost unknown.

RITUAL AND OTHER
CULTURAL FEATURES

TOTEMISM

776

The various Nuer lineages have specific ritual attitudes towards certain natural objects and living creatures. They respect the lion, reptiles, birds and plants; some lineages respect rivers and streams but, for all Nuer, rivers are specially associated with the mother spirit, Bah Mundang, who is held in reverence by all the people. Some lineages respect cattle with certain markings and therefore do not keep them. The largest clan is Nuerland - the Gaatgenkiir of the Jikany tribes - respect guards, since, it is said, the ancestor of the clan was found in a guard. In general, however, totems are associated with lineages rather than with clans.

● [177]

Nuer totems (baath) are neither peculiar nor particularly important, and the Nuer themselves state that the majority of the totems come from the Dinka; they further maintain that the baath of Nuer lineages are sky spirits, or spirits of persons who have been killed by lightning and have become sky spirits. The totemic relationship is explained in the myths which tell how ancestors of the lineages and the members of the species related to the lineage, were born twins. A man respects his wife's totem and a woman her husband's, while children respect their mother's totem generally. A totemic relationship of the same type does not prevent marriage.

Respect for a totem consists in refraining from hurting it or eating it; in paying it some recognition and consideration, and in making an expression of regret should it be found dead. In turn the totemic species is expected not to cause any harm to those who respect it. Sacrifices and prayers are made to the totem and cattle are dedicated to it. The species itself is not worshipped although the representatives are

(1) Bruce-Forsyth, *loc. cit.*, 1948, No. 2, p. 1.

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^x 776 which can only be symbolized, as his ubiquitous presence is symbolized by the Nuer, by the metaphor of wind and air. Also he can be communicated with through prayer and sacrifice, and a certain kind of contact with him is maintained through the social order he is said to have instituted and of which he is the guardian, a matter I discuss briefly later. But in spite of these communications and contacts the distance between heaven and earth is too great to be bridged.

^x 776 God's separation and remoteness from man are accounted for
773 in a myth recorded by Father Crazzolara which relates that there was not always a complete separation of heaven and earth and that there might never have been but for an almost fortuitous event. I did not myself hear Father Crazzolara's version of the myth, and I judge it to be of Dinka origin, partly because it occurs among the Dinka but more because I think it is very probably only current among Nuer to the west of the Nile,¹ which would indicate recent introduction into Nuerland from Dinka sources; but, whether it is Dinka or not, it accords well with Nuer religious conceptions in general. The myth relates that there was once a rope from heaven to earth and how anyone who became old climbed up by it to God in heaven and after being rejuvenated there returned to earth. One day a hyena—an appropriate figure in a myth relating to the origin of death—and what is known in the Sudan as a durra-bird, most likely a weaver-bird, entered heaven by this means. God gave instructions that the two guests were to be well watched and not allowed to return to earth where they would certainly cause trouble. One night they escaped and climbed down the rope, and when they were near the earth the hyena cut the rope and the part above the cut was drawn upwards towards heaven. So the connexion between heaven and earth was cut and those who grow old must now die, for what had happened could not be made not to have happened ('aber was geschehen war, konnte nicht mehr ungeschehen gemacht werden'). A variant of this myth has been recorded by Captain Ferguson.²

¹ This conjecture is strengthened by information from Dr. Mary Smith that the story is not known to the Eastern Jikany Nuer. A version current among the Central Nuer is recorded in *The Nuer*, p. 130.

² J. F. Crazzolara, *op. cit.*, p. 68; V. H. Ferguson, *op. cit.*, pp. 148-9.

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* 776 was done in error. Similarly, they say that he will not allow a
 577 curse to harm a man who has done no deliberate wrong.

One can make too rigid distinctions between the meanings of words, and while an error or accident is clearly regarded by Nuer as different from a deliberate and premeditated act, the concepts of *guac* and *duer* shade into each other. There is perhaps always an element of the unintentional in the worst fault, and a Nuer who has committed a bad fault is inclined to excuse himself, as we would do, by calling it a mistake; but it is also true that, except in matters of no moment, and although the consequences may not be so severe, a wrong act is always a fault, whether it was deliberate or was due merely to forgetfulness or even involuntary, and may involve liability. Thus the men who in ignorance have relations with the same girl, the man who unknowingly has relations with a kinswoman, and the man who by mistake eats the flesh of his totem have all committed *dueri*, faults, and they cannot be certain that evil consequences will not follow. The effects may be the same as if the acts had been wilful. Likewise a man who inadvertently eats from a dish from which a man with whom his kin have a blood-feud has eaten, and a man who appears naked before a kinswoman of his wife (Nuer men normally have no covering), not having noticed her presence, have committed faults. It may well happen that a man does not know he has done wrong till he suffers the consequences of the wrong. For example, a man takes a woman for concubine not knowing that she is distantly related to him, and his children by her die. He then makes inquiries and discovers the relationship. He sinned, like Oedipus, in ignorance, but that did not alter what he had done and, like Oedipus, he paid the penalty of his fault. Even the innocent may suffer, as the example I have just given shows. Indeed the whole human race suffers death on account of what was no more than a trivial oversight. If man had prevented the hyena and the durra-bird from escaping from heaven there would have been no death. This is the lesson of another story, probably also of Dinka origin, recounted by Father Crazzolara about the origin of death. It makes death follow from a mere blunder or a trifling act of malice. When man was created God took a piece of a gourd vessel and threw it into water to indicate that man would live for ever just as the rind would float for ever on the water. He then sent a

§ (See p. 10, cat. 116, *Analyst* p. 47)

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barren, or divorced, woman to men to tell them that they would live for ever, but, in delivering her message, she threw, instead of a piece of gourd, a potsherd into the water, and it sank. Almost fortuitous though this incident was, what had happened, as we have noted before, could not be made not to have happened. Men have to accept the consequences of actions whether they are deliberate or not.

Hence when Nuer suffer misfortune they ponder how it may have come about, for it follows from what has just been said and from the fact we noted earlier that God is always in the right, that if misfortune comes to a man it is most likely on account of some fault. This is why on such occasions one hears so often in Nuer prayers and invocations the plaint 'what have we done?' or 'what evil have we done?' and why Nuer sacrifices are so often propitiations, expiations, stonements, and purifications. It is therefore probable that suffering usually entails a measure of guilt. Nuer search their consciences to discover what fault might have brought it on them, though this is more evident when a misfortune is only pending and may yet be stayed or though it has fallen may yet be mitigated, for if the fault can be determined they will know better what action to take. When the misfortune is complete and their condition can in no way be alleviated they are less interested in its cause and accept its accomplishment with sorrow and resignation.

When Nuer suffer they sometimes at once know what is the cause of their suffering because they are well aware of some particular fault. They sometimes, as we would say, tempt God by doing what they know to be wrong, hoping that it will not matter very much, such as having relations with a woman which are incestuous but not very incestuous. If trouble comes they know that this is the cause, for they have said that whether the relationship was too close for congress would be decided by any consequences of it. They now discover that it was more serious than they thought. Nuer often neglect their duties to their various spirits. They omit or forget to sacrifice to them or they fail to dedicate cows to them or they use cows dedicated to them for marriage and find that they cannot replace them or do not trouble to do so. If a misfortune falls on them they then know that it is due to the anger of a spirit. Often, however, they are in doubt about the cause and confused and bewildered. It may be that the

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Government at the time of my inquiries towards prophets of these spirits. Nuer, who at the best of times are reticent when asked about their spirits, were consequently embarrassed and taciturn when the subject was mentioned. 776^x

A further difficulty arises from historical considerations. All Nuer with whom I discussed the matter said that in olden times they had no spirits other than God and the *culwic*, and that the spirits of the air had all 'fallen' into foreign countries and had only recently entered into Nuerland and become known to them, often in the first instance through the capture or absorption of Dinka, and especially through taking to wife Dinka girls, to whose children they have passed and attached themselves. When speaking of the coming to earth of these spirits Nuer use the word *pean*, to fall, as in the expressions '*ce pean piay*', 'it fell to earth (or downwards)', and '*ce pean whial*', 'it fell from the sky (or from above)'. To judge from Nuer statements and other evidences, particularly from what we know about their prophets, they did not make their appearance in Nuerland till as late as the second half of last century. 777^x

The spirit *deng* is said to have been the first to fall, and it is regarded as the greatest of the spirits of the air. It is also called *deng kwoth*, *deng son of God*, and by its ex-name *denghwar*. It is especially associated with sickness, which is very often attributed to it in one or other of its manifestations: *deng* (without qualification), *deng jur*, *deng of the foreigners* (in this context probably the so-called *Jur* peoples to the south of Rumbek), *deng jaangwi*, *deng of the Dinka*, *deng yier*, *deng of the river*, and others. It has two sons, *dayim* and *dhal*. *Deng*, which is said to have fallen to earth among the Dinka, is manifestly the Dinka spirit *deng*, a word which among that people also means 'rain' (it has no such secondary meaning among the Nuer); and *dayim* and *dhal* may likewise be accepted as Dinka conceptions.

Another spirit of the air is *twy*—possibly the same word as that meaning 'sun after rain'—whose ex-name is *dhworangon*. It is sometimes said to be the *bi*, craftsman, of God who fashions men, occasionally making sport of them by giving their bodies a twist so that they are born deformed. It is said to be a Dinka spirit, and the fact that it is well known to the west of the Nile and is little spoken about among the most easterly tribes supports this view. *Dwo* is likewise regarded as a Dinka spirit and is better

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^x 776 known to the west than to the east of the Nile. It appears to be
 • 177 associated with a cattle-plague, also called *diu*, and it may have a
 further association with the sun, but I am uncertain of this; and
 I must say that this uncertainty may not be entirely due to my
 ignorance, for in many cases these associations between spirits
 and natural phenomena are not emphasized by Nuer and are
 even vague and fanciful ways of giving a bare outline of indivi-
 duality to the spirits. The spirit *col* has associations with rain,
 lightning, a river believed to run through the sky, a tree called
wyoot (*Cordia Rothii*), of which Nuer say that 'God loves it', and
 the *colwic* spirits who are the souls of those killed by lightning.
 This spirit is probably a Nuer conception, but then it is hardly
 conceived of as an individual spirit, but rather as all the *colwic*
 spirits merged together. *Rang* or *rangdit* and its son *mabith* are
 [192] both spirits associated with wild animals and hunting, *mabith*
 having a special association with giraffes; and it may be noted that
 the word *rang* means also 'a good spearman', that is, one who
 shines, for yet a further meaning of the word is 'sunshine' and its
 verbal form means 'to shine' or 'to dazzle'. In some contexts the
 word could be translated 'light'. The two spirits are said to have
 come from the country of the *karegni*, the Baggara Arabs, whom
 the western Nuer used to raid for stock and women; and it is
 perhaps significant that the Baggara are great hunters of giraffes.
 Further, Dr. Lienhardt has pointed out to me that the Rek Dinka
 say that their spirit *garang*, which is also associated with giraffes
 and is doubtless the same as the Nuer *rang*, came to them from
 the Twic Dinka who neighbour the Baggara Arabs.¹ The spirit
muni, whose ox-names are *luthpers* and *bilcuany*, and which is
 particularly associated with war, is certainly of foreign origin and
 I believe that it is generally regarded by the western Nuer as
 having come from somewhere to the north of them. It is therefore
 perhaps worth drawing attention to the belief in a mysterious
 power called *muni* in northern Darfur.² The spirit *nai* is asso-

¹ This spirit evidently has today a wide distribution among the Dinka for it is mentioned by Mr. Johnson (*op. cit.*, p. 124) as being regarded by the Bor Dinka as a son of *dog*. Mr. Johnson says that 'in every respect his attributes are equivalent to those of *lutan*'.

² A. J. Arkell, 'Muni Magic in Northern Darfur', *Sudan Notes and Records*, 1936. As Mr. Arkell suggests, there may be some connexion between the Darfur *muni* magic and the *muni* magic of the Azande (E. E. Evans-Pritchard, 'Mand, a Zande Secret Society', *Ibid.*, 1931). The word *muni* is almost certainly a loan-word in the Nuer language.

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ciated with ostriches. I do not know where it is supposed to have originated.

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One of the spirits that are best known throughout Nuerland is *wiu*, a spirit of war and associated with clan spear-names. It is particularly associated with the sacred spear *wiu* of the Gaatgankir clan, the dominant clan of the Jikany tribes. *Wiu* is also associated with thunder, '*ce wiu mar*' being equivalent to '*ce nhial mar*', 'it thundered (lightened)'. We may readily accept the Nuer statement that it was made known to them by the Gaatgankir clan, who are acknowledged by all to be of Dinka descent. That the *wiu* spear is of some age and that the Gaatgankir clan have long been indistinguishable from other Nuer in their general culture suggest, in view of Nuer statements that the spirits of the air fell recently, that the spear is older than the spirit, and this may be so, for in the story accounting for the spear there is no mention of the spirit.

A spirit of great interest is *buk*, also called *buk man deng*, *buk* the mother of (the air-spirit) *deng*, and *bungdit*, a Dinka title meaning *buk* the great. This female spirit, known throughout Nuerland, is associated with rivers and streams. It is *kweth yier*, a river-spirit. Dr. Lienhardt has recorded a song in which it is called 'daughter of fire-flies' and by its cow-name '*kwacuar*', 'leopard of the night', imagery bringing to mind fire-flies and consequently streams, near which they are particularly numerous. Nuer sometimes offer first-fruits of their millet and make libations to it in streams and in times of sickness they may sacrifice animals to it on the banks. They also throw beer and tobacco, and maybe a bound goat as well, into the water as offerings when they take their herds across rivers or engage in large-scale fishing, praying that they may be protected from injury by crocodiles, water-snakes, bones of fish, sharp shells, and lost fishing-spears. On such occasions they may also sing hymns to it, the best known of which I record later. *Buk* is said to have two daughters, also associated with streams, or with particular streams, *candit* and *nyalirp*. 'Daughters' is a figure of speech, for I was told that they were once Nuer maidens whom God took and put in the water, where they became spirits. *Candit* is said to have once been seized by a man of the Mitnyal lineage of the Gaatgankir clan on a river bank and to have lived with him till she bore him a child, when she returned to the river. The spirit is therefore revered as the

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* 776 guardian spirit of this lineage. They dedicate cows and sheep to it and pour libations of their milk for it into rivers. Since *buk* is in rivers and streams it belongs to the below and I discuss it further 782 in connexion with the tellurian spirits, but as the mother of *deng* it also belongs to the above, though it does not possess men as other spirits of the above do. Nuer explain its being both above and below by saying that as Spirit (*kwosh*) it is in the sky but materially (*pwowye*) it is in rivers and streams. That *buk* is of Dinka origin is clear both from its being the mother of *deng* and from its Dinka title *bungdi*.¹

* 776 There are other spirits of the air, though I know little about them. I have heard of one called *mar*, probably the same word as 177 that meaning 'to thunder'. Miss Huffman mentions a *cal*, sender of dreams.² Father Crazzolara, speaking presumably of the Leek tribe, whose territory, where the Catholic mission is situated, is near the Shilluk kingdom, says that the Nuer have taken over the Shilluk spirit *wyikang*.³ There are probably others.

* 776 Father Crazzolara, though he contrasts fetish spirits and nature sprites with spirits like *nai*, *doyim*, *wyikang*, and *deng*, labels them all *Erdgeister*.⁴ In my opinion, on the contrary, these spirits are undoubtedly classed by Nuer in the category of the above, though some are, I concede, regarded as inferior to others, for example *nai* and *doyim*, whom Nuer speak of as *gast gast kwosh*, children of the children of God, rather than as *gast kwosh*, children of God, a usage which indicates that they are more distant from God and belong to the lowest rank of the heavenly beings. That my account is here at variance with that of Father Crazzolara may be due to the fact that the spirits of the air have only the vaguest personalities and lack distinct individualities defined by clear differentiation of attributes, so that Nuer have nothing very definite to say about them. The figures are all more or less alike, and their celestial and other associations are not so much indications of function as a means of differentiation. For the Nuer themselves one spirit of the air is distinct from another really only because it has a different name. For this reason I have written 'it'

¹ It is probably common to all the Dinka sections. Further evidence of its Dinka origin is the fact, which I have learnt from Dr. Lienhardt, that *buk* or *bung* denotes in Dinka black and white markings, like those of the pied cow with which the Nuer *buk* is also associated (p. 81).

² Ray Huffman, *Nuer-English Dictionary*, 1929, p. 10.

³ *Op. cit.*, p. 136.

⁴ *Ibid.*, pp. 122 seq.

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when speaking of them and I have used small instead of capital first letters in writing their names. This enables me also to maintain more clearly the distinction between God and other spirits, though strictly speaking, and following the gender of *pusuma*, the neuter is not inappropriate for any conception of Spirit. 776^x

II

With the exception of *buk* and *cul*, who are of some general interest to all Nuer, the spirits of the air are not conceptions of the same importance for everybody, and in this respect, as in others, they are unlike the conception of God. They have a more general significance than the totemic spirits, which are important only to certain lineages, whereas the spirits of the air are not tied to particular social groups. Nevertheless, a certain spirit of the air is significant for certain persons and families and not for others, because unless it has at some time or other possessed a man or one of his family or forebears he does not feel that he is personally concerned with it. 776^x
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Possession is generally known by sickness, though in the case of prophets it may also be known by abnormal behaviour. Sickness, usually, I think, of a severe and sudden kind, may be diagnosed as being due to a particular spirit and the sufferer may in future, after he has recovered, regard it as one of his personal *buk*; and then his descendants may continue to revere it. These two ways of acquiring a spirit, by being possessed and made sick and by inheritance, are interconnected, because an inherited spirit often shows that it regards itself as still attached to the family of a man after he has died by causing one of his children to fall sick, and it is likely to be neglected and forgotten if it does not occasionally remind the family of their obligations by troubling them. So when Nuer fall sick they may, if they cannot establish the cause, with the aid of a prophet or diviner examine their heredity to discover whether one or other grandparents, very likely a *Dinka*, may not have had a spirit whom they have forgotten or not thought important and who is bringing their negligence to their notice by the sickness. 776^x
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Spirits may thus pass in and out of families, be forgotten and then remembered again, and perhaps in many instances forgotten altogether in course of time; or in other instances they may become 776^x
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*776 spirits of small lineages and their families, especially of lineages
 ●177 of Dinka descent. The fact that they are not found as spirits of
 613 larger lineages is perhaps further evidence of the late introduction
 of these spirits into Nuerland.¹ I speak here of ordinary Nuer,
 many, perhaps most, of whom do not in any case, particularly to
 the east of the Nile, have any special relationship to one or other
 of the spirits of the air, though they may have relationships to
 spirits of other kinds. In the case of prophets, their spirits are most
 unlikely to be forgotten and pass out of their lines of descent
 altogether.

*776 Seizure of a man by a spirit may be temporary or permanent.
 711 When it is permanent the possessed person becomes a prophet. It
 753 will be simpler if I describe temporary possession first. Spirits
 cause sickness to their devotees and sometimes to others, and
 illness is often, especially in western Nuerland, attributed to them.
 If it is thought to be due to a spirit but there is uncertainty which
 particular spirit is responsible, the relatives consult a prophet or
 diviner to determine the responsibility, so that sacrifice may be
 made to the right spirit. They give it *duor*, a thing, as Nuer say—
 that is, they sacrifice to it to appease it. The sick man's recovery
 means that the spirit has released him. If he has not already done
 so, he then dedicates an animal to the spirit to show it that he is
 aware of their special relationship, and from time to time he makes
 sacrifice to it to let it know that he has not forgotten it. Otherwise
 it may cause trouble again.

I will describe what happened at a ceremony held when a youth
 called Gabuak, of the Leek tribe, was sick on account of his having
 been seized by the spirit *nai*. This spirit, whom I have only heard
 mentioned in western Nuerland, has, as I have earlier remarked,
 a special association with ostriches, to which it is said to be very
 partial. When an ostrich is killed those who have a special relation-
 ship to the spirit tie some of its plumes to the entrances to their
 byres. When I asked whether *nai* would not be angry at the killing
 of one of its birds I was told that it cares nothing for the body of
 the bird, only for its plumes. Prophets of *nai* decorate the shafts
 of their spears with ostrich plumes. *Nai* seems to be regarded as
 one of the most inferior of the spirits of the air.

¹ Further evidence is the fact that while people are now often named after the
 spirits, especially after *duor*, these spirits seem to be not common at the upper levels
 of Nuer genealogies.

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- ^x776 way as an animal is dedicated, while a short invocation is made.
 533 They are decorated with beads and metal rings. I was told that
 792 now and again, especially after dreams, a prophet rubs his spirit's
 554 drum with ashes, and sometimes also with butter, and asks God
 [778] for peace and happiness. A prophet also builds a mud shrine,
 called yik or, if it is shaped like a windscreen, *buor*, to his spirit,
 the largest monument of the first kind being the pyramid of *deng*
 in the Loz tribal territory (p. 306).

IV

- ^x776 I now come to the most difficult, and the most important, part
 of this survey. How do Nuer conceive of these spirits in relation
 to God? I do not attempt yet to make a full analysis of the notion
 of *kuoth*, but only to discuss a limited part of it, the nature of the
 spirits of the air; though what is said about them has some bearing
 on the nature of other spirits and of Spirit in general. The
 matter is, for us, complex and confusing, and the conclusion I
 reached about it, that the spirits of the air are conceived of as
 both separate beings and yet also as different manifestations of
 God, may at first sight seem to hold a contradiction.

We may say to begin with that there is no question of Nuer
 regarding these spirits as beings of the same importance as *kuoth*
 or *ahial*. Whatever else they may be thought to be they are not
 thought of as beings independent of and equal to him. There is
 only one God. This is evident from a number of facts.

- ^x776 In the first place, it is shown by the way Nuer regard the beliefs
 of neighbouring peoples. It causes no problem for them when they
 ● 177 find other peoples approaching God under different titles and in
 different ways from their own. Some Nuer, in spite of the general
 isolation of the Nuer and their lack of interest in other peoples,
 are aware that in religious matters neighbouring peoples differ to
 a greater or lesser degree from themselves. Some of them know
 something of Dinka religious beliefs and ceremonies, and a few of
 them are also aware, though Islam has made no impression on
 them, that Arab traders have their own form of worship and,
 through the influence of the Christian missions has been negli-
 gible,¹ that the Christian missionaries and their converts have

797 ¹ In 1920, some years after I had completed my research, there were 24
 Nuer (see Catalogue and 114 Proverbs), mostly the lower Ngur for

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themselves. I have found that when one of these Nuer who has had 776^x
contacts with foreign peoples speaks of their religious beliefs and 177
practices he shows that he does not regard them as having a
different God from his own but merely as having a different name
for him and a different manner of communicating with him. A
Dinka prays to *kwoth a nhial*, whom he calls *nhialic*. Similarly
the Muslim or Christian prays to *kwoth a nhial* under other
names. Hence, though Nuer have taken over from neighbouring
peoples various lesser spirits like the Dinka *deng* and the Shilluk
oykang, they have not taken over their deities, such as *nhialic*
and *jwok*. The reason for this is undoubtedly that they identify
these other deities with *kwoth a nhial*. *Kwoth a nhial*, *nhialic*,
and *jwok* are one person who has different titles among different
peoples. The Nuer attitude in this matter shows clearly the
markedly monotheistic tendency of their religious thought. It is
polyonymous, but not henotheistic. The inference we can draw
from this in considering the spirits of the air is that they are not
thought of as independent gods but in some way as hypostases of
the modes and attributes of a single God.

A number of circumstances may have influenced Nuer thought 776^x
in this matter. One important circumstance is that they have no
proper name for God. He is simply *kwoth*, Spirit, and if they wish
to distinguish him in speech they can only do so by a qualifying
clause. It follows that since the Nuer God has no proper name he
cannot be sharply distinguished in the mind from the God of a
neighbouring people who is also inevitably regarded by the Nuer
as *kwoth* and is therefore easily identified with him; and the titles
by which other peoples call God do not present to the Nuer an
obvious challenge or any kind of contradiction which might lead
to monolatry or to more precise metaphysical definition. It follows
also that since the only word in Nuer for God, *kwoth*, means
simply 'Spirit' any spiritual being is also *kwoth*. This in itself,
apart from the absence of any organized cult and developed poli-
tical institutions,¹ has allowed easy entrance to foreign spirits. All

one of the major peoples of the Southern Sudan. The missions were those 797
American Presbyterians at Nuer on the Sobat (founded in 1912), Catholics at
Gochony on the Bahr el-Ghazal (founded in 1906), and Anglicans at Lar to
the west of the Nile (founded in 1920) and Jauher to the east of the Nile
(founded in 1926). This information was supplied by the heads of the various
missions.

¹W. H. H. H., op. cit., p. 160, reports that a Shilluk who opened a shrine to

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assured by old men when about to wade through crocodile-infested streams that I need have no fear, because people whose totem was the crocodile lived nearby, and they contrasted the benevolence of their local crocodiles with the savagery of crocodiles in other districts. When once I remarked to a Nuer about a man fishing far out in the Sobat river, in a place I knew to be infested with crocodiles, that I thought he was taking a big risk, my companion simply replied 'maybe he respects crocodiles'. I have also been told that men of these lineages call the reptiles out of the water and stroke them. There can be no doubt that people who have the crocodile for totem are regarded by other Nuer as having some control over them. They are summoned by their neighbours to perform a rite to prevent crocodiles from attacking them or their flocks and herds when streams and rivers must be crossed. The *guen kweth nyanga*, the person who possesses the crocodile-spirit (who has the crocodile for totem), bends a metal bracelet till the ends overlap and binds them in this position with grass, and then presses the bracelet into the river mud, calling on *guendong*, grandfather or ancestor (in this context, the crocodile-spirit), to let the people pass over in safety. This operation closes the jaws of the crocodiles while people and cattle are in the water. He may also, on certain occasions, as when a stream is being fished, bind a goat and push it under weeds and reeds into the stream for the crocodile-spirit at the same time as performing the bracelet rite; and it is said that he must then sit on the bank and abstain from drinking water while people are still in the stream.

A large number of small lineages in Nuerland respect snakes. All those whose descent I was able to trace are of Dinka origin. Some respect *nyal*, the python. Those I have asked about their totemic affiliation have told me that a python was born as twin to their ancestor. When they sacrifice to the python-spirit they take a goat to the edge of the stream and there kill it, in imitation of the python's killing of its prey, by blocking its mouth and nostrils and bouncing on its belly till it suffocates. They throw a piece of the sacrificial meat into the stream and another piece towards the land. They boil the rest of the meat, taking care that no soup of the boiling is spilt, and eat it. A senior man then sharpens a new cattle-peg and, after driving it into the ground and winding grass round it, pours some of the blood of the goat at its foot, asking the python-spirit to take its 'cow' and let the

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* 776 people be at peace. They complete the rite by building a small
 615 mound of ashes as a shrine (*yak*) to the spirit. I have seen goats
 782 with what the Nuer call *ma nyal*, python-like, markings dedicated
 078 to the python-spirit in kraals. A Lou tribesman told me that when
 he was a boy a python entered his father's kraal and paid particular
 attention to a goat dedicated to its spirit, and his father gave it milk in a gourd and rubbed its scales with butter. All Nuer
 say that if any snake enters the homestead of a man who respects
 that species he will offer it milk and rub its scales with butter, but
 I have not seen this done. They say that a snake which has been
 treated with these courtesies may enter the byre and sleep there
 and, when it wakes, crawl among the cattle in the kraal, paying
 friendly attention to the cow or beast of the flock dedicated to
 its spirit. A man who respects pythons respects also bees, because
 Nuer consider their markings to be like those of the python, and
 will not kill them or eat their honey.

* 776 Another snake respected by a large number of small lineages of
 613 Dinka descent is *luadit* or *rii*, which I believe to be the tree cobra.
 077 A Nuer of the Leek tribe told me how this totem had come into
 [779] his family, and his story has some interest in that it illustrates the
 way in which a lineage may acquire a totem. His father was digging
 a hole in which to plant a support to a new cattle byre when he
 scooped up a cobra with the earth in his hands. In his fright he
 killed it with a digging-stick. Later he fell sick and the form of a
 cobra appeared to him in a dream and told him that it wanted a
duor, a gift, so he sacrificed an ox to the cobra-spirit and dedicated
 a cow to it. His sons now respect the cobra, and their descendants
 may continue to do so. During my first expedition to Nuerland
 one of my Zande servants was chased into my tent by one of these
 cobras and I was forced to shoot it. Later in the day a man of the
 cattle camp where I was residing came to complain that I had
 killed his *luoth*, totem, when I might easily have sent to ask him
 to remove it from my tent. He demanded compensation, which
 I made with a lump of tobacco. Some people say that if you can
 [825] kill a cobra without it seeing you, you will find *wai*, medicine,
 inside it. If it sees you it will spit out the medicine before you can
 kill it. Those who respect the cobra respect also the little red
 soldier ants, here again apparently on account of a resemblance of
 colour. When bitten by them they do not slap them on their

* Dr. Lienhardt tells me that a house dedicated to the spirit of cobra should

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613 bodies and kill them as other Nuer do, but they carefully remove them and place them on the ground. When my camp in the eastern Jikany country was overrun by these insects and I tried to drive them out with fire, some men whose totem they were protested, and they requested me not to harm the ants. When a man sees his totem being harmed he feels it an obligation to make a formal protest and he may ask for a gift to remove the offence, but he does not make it occasion for a quarrel. Miss Ray Hoffman relates (in a letter) how many years ago she and a fellow missionary, Mr. Adair, killed a cobra just outside the Nasser mission compound. The people of the homestead where it was killed showered grain on its body to cover it 'so the god in it would not be angry with them for letting it be killed'. However, I should record Mr. Jackson's statement that a dispenser of Malakal hospital, presumably a lad of some foreign people, 'was travelling with a party of pedlars [presumably Arabs] and killed a snake which he came across. Although only a boy he was at once attacked by the Nuer of the Longaish section and beaten into unconsciousness.'

• [17] Some lineages, also of Dinka origin, have the spinning viper, *shatut*, for totem. I have been told that there are some Nuer who respect the snakes called *gor* and *degrek* (the puff-adder), and it is possible that other snakes are totems. The small Ceur lineage of Dinka descent in Leek tribal area have the serpent *low* for their totem. This huge, and presumably imaginary, creature is said to frequent streams and to have a comb like that of the crested crane and hair on its head which waggles from side to side as it swims in the water. Members of this lineage say that their ancestor was sleeping in a hut with his wife and small child when one of these serpents came through the doorway and lay across them. The wife woke up and swooned at the sight of it. Later the man woke up, and finding his wife unconscious, but without seeing the serpent, promised God an ox for her recovery. Afterwards he saw the serpent and dedicated a cow to that serpent-spirit, and his descendants have respected the *low* ever since. One of them, a man called *Dol*, told me that he once speared a *low* by mistake, thinking that the movement he saw in the water was that of a fish, and was brought home preserved. He recovered after sacrifice had been made.

to a house built round a house built. The snake is called *shatut* in sections of its house (and) colour.

¹ Op. cit., p. 187.

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Because they sacrifice to it at the river's edge, near which cattle spirits are generally to be seen. 776^x
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I am uncertain whether the many little species of birds the Nuer class together as *kec*—weaver-birds (the Sudan diob), finches, and others, known collectively in the Sudan as *durra*-birds—are rightly regarded as the users of lineages or whether the spirit associated with them is possessed by individuals and not by groups. It may be that only the son who takes on the ritual functions of a *gum kec* or *gum keoth kec*, an owner of *durra*-bird or an owner of the spirit of *durra*-bird, respects these little birds, and not all his sons or all members of his lineage; but I believe that they are respected by small lineages of Dinka and Anuak descent and therefore include them in the list of Nuer totems. The Nuer class, as we do, all these little birds together because they feed together on millet seed. They may be seen to rise in swarms from the millet gardens and, while in most years Nuer pay little attention to them, they are in some years so numerous and destructive that the entire crop is threatened. It is then necessary to protect it by posting boys, sometimes on platforms erected for the purpose, to scare them off. The owners of the threatened gardens may also summon a man who respects the birds to induce them to depart. He takes some stems of millet of different varieties from each of the gardens of the village and, carrying this bundle, heads a procession of the villagers to where the gardens meet the bush. There he utters an invocation over the *guc*, telling the birds that it is their *cw* and exhorting them to turn towards the bush where they will find plenty of *gum* seed to eat, for that is the millet of the birds. He tells them that the people have come out of their village to greet (*lor*) them with a '*cw*' (*guc*) and requests them to leave the millet alone. When he has sacrificed the *guc* to the *durra*-bird spirit he places the millet he has gathered on the ground with their heads facing the bush to show the birds the direction in which it is desired that they should go. I was told that the carcass is left in the bush. On the occasion on which I was present an expert had been brought from some distance to perform the rite, and a local man, who also respected the birds and could therefore have performed it, felt dignified, and was said to have threatened that next year he would cut stalks of millet before the harvest was ripe. Nuer often cut stalks of white millet to chew, but a man who has these birds for totem must not do so, lest he cause the birds to devour the crop. (11)

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000 for them must not do so lest he cause the birds to devour the
 crop.

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 [73] Plants are respected by some lineages. They may not cut them
 or burn their wood. The large Gaanwar clan respect the *nywo*-
 tree (*Cordia Alluaudi*) and the *koot*, tamarind, tree. The ancestor of
 this clan fell from heaven holding a branch of the *nywo*-tree in
 his hand or, some say, he descended from heaven by, or on to, a
nywo near which was a small tamarind.¹ Members of this clan
 call for aid on *kwoth nywo* or *kwoth koot*, the spirit of these trees.
 The *nywo*, a branch of which is often erected in the homes of
 [78] Gaanwar as a shrine to this spirit, is associated with rain on
 account of the humidity of its leaves even in the dry season. The
 verbal form of the word, *nywo*, means 'to drizzle'. Members of the
 [81] clan may therefore be called on to bring rain in time of drought.
 This they do by placing a sprig of the tree in water, sacrificing an
 animal, and calling on the spirit of the clan, which is the spirit of
 the tree, for rain. It is, we may suppose, on account of their con-
 nection with water that the clan have as additional totems the
 waterbuck and the fish *nyimor*, *car*, *lem*, *yion*, and *gwejwal* and
 can also speak of their spirit as '*kwoth paowor*', 'spirit of our
 waterbuck', '*kwoth lemeda*', 'spirit of our *lem* fish', and so on. I
 [84] have been told that women of this clan will not eat the meat of
 a cow which has died calving, but I do not know the reason for
 this abstinence. The scattered Jwal clan share some of the Gaan-
 war totems. They seem at one time to have formed a single clan
 with the Gaanwar. The Jingop and Keunyang lineages of western
 Nuerland respect the *ngop* tree, the sycamore or wild fig (*Ficus*
Sycomorus), and speak of '*kwoth ngopow*', 'spirit of our fig-tree',
 to which they dedicate cows in their kraals, as is usual where there
 is a totemic relationship. The largest clan in Nuerland, the Gaat-
 gukile of the Jkany tribes, respect gourds. Their ancestor was
 [87] found in a gourd (*kar*). They will not cut or step over the stems of
 gourds or prepare them to serve as utensils, for they must not
 handle a gourd which still contains its pulp and seed. Neverthe-
 less they use them as utensils for the same purposes as do other
 Nuer. The clan is of Dinka origin, though it now counts as a Nuer
 clan. Other plants respected by lineages, usually of Dinka descent,

¹ Some versions of the story of his appearance on earth are recorded in *The Nuer*, p. 130.

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are the *shep-tree*, papyrus, the *kuel-tree* (*Ficus platyphylla*), and *lei*, the dom palm.¹

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Some lineages respect rivers and streams. The ancestor of the Juak lineage of western Nuerland, of Dinka descent, is said to have come out of a big lagoon called *gwol*, so his descendants are known as Juak *jigwol* and the honorific titles of their sons and daughters are *gat* and *wys gwol*, son and daughter of (the lagoon) *gwol*. They respect all rivers and streams, and when a man of the lineage intends to cross a river he throws a bead into the water calling on his 'grandfather' (the river-spirit) to accept the offering and bring him in safety to the other side. A woman of the lineage will not take off her skirt when crossing a river as other women do, and unmarried girls, who are naked, place a few wisps of grass round their loins before entering the water. I was told that were a married woman to forget and step into the water naked, and were then to remember her obligation, she would return to the bank and pull off a bead or tassel from her skirt and throw it into the water, telling the river-spirit that she had not purposely offended it and asking it to accept her offering in atonement. The Gastiek clan also respect rivers, and the Nile in particular because God brought their ancestor out of it. Being *jiyier*, river-people, they respect also the *gwol yier*, papyrus, and will not cut it. Their spear-names are *mut hier* and *mut yier*, spear of the Nile and spear of the river, and their honorific names are *gat* and *wys her*, son and daughter of lagoon. They dedicate black cows to the Nile-spirit and they sometimes pour a libation of milk from these cows into rivers. When people are taking their families and cattle across rivers they milk one of the black cows dedicated to the river-spirit into a black snail-shell, which a man of the clan then turns upside down at the river's edge and keeps pressed into the mud while the people and herds pass over. This keeps the jaws of the crocodiles closed. In virtue of their relationship to rivers certain senior members of the lineage may also perform a rite for the safety of those

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¹ Mr. H. C. Jackson, op. cit., p. 185, records that one of the clans of the Bad tribe respect the tree called in Arabic *daraba*, because their ancestor hid in this tree when fleeing from enemies. It is called *ar* in Nuer and is probably to be identified with *Parospondia hutchinsii*. Professor and Mrs. Seligman, op. cit., p. 113, say that the *har* tree is respected by the Bad Nuer because their mischievous ancestor used to sit under it, and by the Jiliet clan because their ancestor was killed with clubs made of its wood. They do not on this occasion call to the source of their statements.

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taking part in fishing batruas. Such a man is called *guan bieth*, owner of fish-spear, and *kuar juiwi*, priest of grass, because he protects the people by winding grass round the point of a fishing-spear which he then drives into the earth. He also fills a small-shell with mud and presses it into the mud of the river, and he bends and binds together the points of a metal bracelet and stamps it into the mud. He may also bind a goat and place it in the river as a sacrifice to the river-spirit, which he calls on to protect the people against the dangers of the water. I was told that he must not himself take part in the fishing, but must sit on the bank and abstain from drinking water. He can also heal wounds caused by fish-spears by spitting in them. The Gaatick clan is probably of Dinka origin.

The Nyanding river in the eastern Jikany country is the totem of a small lineage of Anuak descent who live on its banks. It is said that once upon a time the river-spirit asked for a bride, and a girl was decked for marriage and thrown into it by her father Juak, whose name means 'grass' in Nuer. This girl who was sacrificed to the river-spirit (*ca je kok yir*) was called Nyanding. I was told that 'she was not drowned, the river took her', and that she became part of the river-spirit. The present 'owner' of the river, Momytuk Joak, a man of this lineage, told me that each year he binds a goat and throws it into the river. He also protects people taking part in large-scale fishing by treating a bracelet and a shell in the manner I have described. When a girl of the lineage is married, a male goat and a female goat are paid as part of the bride-wealth. The male goat is sacrificed to the river-spirit and the female goat is dedicated to it.

Some Nuer lineages respect cattle with certain markings. The Kwak lineage of western Nuerland and their Minnen among the Arusi people (a section of the Nuer who have to a large extent adopted Dinka culture) will not keep in their herds an animal with *one* *few* markings, that is an animal which has a coloured back but is otherwise white. If one is calved by their cows they



FIG. 2
Clay's
fishing
spear

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- * 776 6/4 clan beat an ox-hide his next child might be born without teeth in the gums of the upper jaw as a cow is without upper incisors. A further observance said to obtain in the clan is that their women may not cross a marshy shallow without first kicking some water out of it. People say that the Jikul are jikwoth, God's people, in that they are an augury in war, for if a man on the side they are supporting in a fight should be the first to be wounded their party knows that it will be defeated and should retire, whereas if a man of the other side is the first to be wounded they know by this that they will be victorious and should press forward.
- [721] When a girl of the clan is married a cow of her bridewealth goes to the hide-spirit, and if she is later divorced this cow remains with her parents as indemnity for the hides the people sat on during the marriage negotiations. Mr. B. A. Lewis tells me that when he suggested holding a dance in a village mostly occupied by a Jikul lineage in the Lak tribe he was asked to make a present to the chief man of the community in compensation for the beating of the tympanum of the drum.

- * 776 6/4 773 The Jikul clan respect rafters (kol) and rope used in the building of byres and huts. They use them for building but they will not use those of an old habitation for fuel. It is related that in ancient times men of this clan tried to build a byre which would reach to the clouds. Other people said that this could not be done because the clouds were far away, and there was much argument on the matter during the building. God in the sky heard the argument and was angered at the presumption of those who wanted to build a byre to reach the heavens, and he sent down lightning and destroyed the builders.

- * 776 177 262 I have mentioned all Nuer totems of which I have certain knowledge and I now say a few words about totemistic relationships before discussing some of the chief features of Nuer totemism and its significance for an understanding of their conception of spirit. In Nuerland one often finds that individuals respect classes of things not respected by other members of their lineages or even by their close kin. There are people, probably all or mostly of Dinka origin, who refrain from eating certain parts of beasts: entrails, heart, liver, kidneys, spleen, head, and hooves. In these few cases I have inquired into, the association was said to have come about through a misfortune connected with the parts abstained from. For example, people who abstain from eating hearts

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for example, people who abstain from eating
 are, at any rate often, those who have had some heart trouble and
 have been cured by massage by a man who respects hearts. They
 now respect hearts themselves and can cure others. Again, a man
 told me that he would not eat liver because a forbear had burnt
 himself when roasting liver and had died of the burns. I was told,
 and it is highly probable, that these abstinences do not last for
 more than a generation or two. In the same way some people—
 here again they are said to be Dinka or of Dinka descent—respect
 certain diseases, or rather their symptoms. These are people who
 have suffered from the diseases, have been cured by others who
 respect them, and can now treat sufferers in their turn. I believe
 that usually, if not invariably, this is a relationship between an
 individual and a disease and that the respect is not shared by his
 kinsmen or descendants. Among the diseases recorded by Miss
 Soule¹ or myself which people respect are berker, a yaws condi-
 tion, wark, also a yaws infection of some kind, riewy, convulsions
 in infants, gwang, an abscess, sanglak, tubercular abscess, lik,
 hip joint disease, kor, myalgia of the lumbar region (p. 183), and
 shang, dysentery (pp. 187-8). I discuss later totemistic relation-
 ships of individuals to totems of female forebears.

II

It is essential to an understanding of Nuer totemism that it
 should be appreciated that Nuer respect the natural species or
 class of objects because they regard them as being in some manner
 embodied or representations of Spirit. A European observer may
 easily be led astray by a Nuer speaking of his totem, as he ordi-
 narily does, as his *kwach*, but he means no more by this than that
 the totem in some special way belongs to a spirit which also makes
 itself known to him concretely in that species. Doubtless, as the
 spirit is only known in and through the species, spirit and species
 can never be wholly dissociated, but Nuer quite explicitly dis-
 tinguish between them. Those who respect species say that it is the
 spirits of their totems and not the creatures themselves that they
 call on for aid, that they sacrifice to, and that they dedicate beasts
 to; and when we speak about the spirit of a totem it must be
 understood that what is meant is the spirit for which the totem

¹ *Some Nuer Terms in Relation to the Human Body*, a pamphlet published by
 the American Mission, Nueri, 1930.

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000 signs of spiritual activity, as is also the birth of a calf with *ma* *ru* markings.

* 776 We may conclude that Nuer totems tend to be creatures and things which for one or other reason easily evoke the idea of Spirit in any Nuer and are hence suitable symbols for Spirit in relation to lineages; and then the image of the symbol may become through association linked with other images, leading to additional totems. The Gaanwar clan have a special connexion with rain, which is a symbol of Spirit in its special relationship to their clan. The *eyuat*-tree is a secondary symbol which, on account of its peculiar appearance and habits, is associated in the Nuer mind with rain. The waterbuck and several species of fish are further symbols linked to the *eyuat*-tree as secondary totems because, we may presume, they also, in their different ways, are associated with water. An interpretation of the totemic relationship is here, then, not to be sought in the nature of the totem itself but in an association it brings to the mind. Similarly those who respect bees respect them not because they are bees but because their colour resembles to Nuer eyes the python, and it is probably the same with soldier ants and the tree cobra.

025 As we have seen, in their totemic relationships it is Spirit rather than the totem in which Nuer are interested. In so far as they are interested in the totem themselves it is not in their intrinsic nature but in their character as symbols through which Spirit manifests itself to human intelligence. Consequently, since the totemic attitude is neither derived from, nor primarily directed towards, the things as they are in themselves but the things as representing and manifesting Spirit, Nuer would not be at all surprised at anything being, or becoming, a totem. Anyone may at any time suddenly find himself in a totemic relationship to some class of objects, and if for one reason or another his descendants trouble to remember and maintain the relationship, then that class becomes the totem of a lineage. Let us consider how Nuer think of totemic relationships coming about.

* 776 I have had frequent occasion to remark that those who respect
 • 177 a totem are Dinka or of Dinka origin, and our discussion of the
 63 whole problem of Nuer totemism is complicated, as was our discussion of the spirits of the air, by the fact that Nuer regard their totems as having for the most part come from the Dinka. I have often heard true Nuer say that when you find that a man respects

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reptiles and such things as parts of animals and diseases you may be sure that he is a Dinka or had a Dinka mother or grandmother; and I have found this to be so. Hence true Nuer tend to despise many totems, especially reptilian totems, as something Dinka. They say that the *kweth* of Nuer lineages are spirits of the above and not earthly spirits. If a true Nuer (*got dile*) respects (*thek*) a totem (*kweth piy*) it is because of a maternal link (*cieng mawdongwa*).¹ The word *thek* is here used in reference to *kweth* because it is identified in thought with some hypothetical material appearance which, since it is not specified, cannot be designated. What this statement means is that while true Nuer clans and lineages do not commonly respect things of nature, and especially not things that creep and crawl, an individual may respect them out of regard for a Dinka mother or grandmother. It is supported by the evidence I have recorded, and it may be further noted that those whole clans in Nuerland who respect natural species are generally either of Dinka origin, like the Gastpankir, or of a peculiar mythological, and therefore possibly foreign, origin, like the Jikul and the Gaanwar. It is also to some extent supported by the common Nuer explanation of a totemic relationship between a lineage and a natural species as having come about through the ancestor of the lineage and a member of the species being born twins. This is a common Dinka explanation of totemic associations.² Moreover, the names of totemic spirits, such as *joo*, *cwar*, *fadiet*, *weng-dit*, and *fajook*, are Dinka words. Personally, I consider the great majority of lineages found in Nuerland today with totems to be of Dinka origin. The important point, however, is not so much that they are Dinka lineages as that Nuer regard totems as something Dinka. They have nevertheless become fully incorporated into Nuer religious thought.

In spite of what Nuer say about totems being Dinka they also think of these of clans or large lineages as having come down to them from their ancestors of ancient times. They became attached to certain lines of descent so that not all lineages of the same clan necessarily have the same totem. They were divided up (*dak*) among the different lines of descent. Nuer say that the '*wing lukier*', 'the meats of their sacrifices', spread out along the lines

¹ C. G. and R. Z. Seligman, op. cit., pp. 121-37. The Seligmans were writing about the eastern Dinka. Dr. R. G. Lumsden tells me that the western Dinka have the same belief.

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the fertility of cows.¹ These various sprites seem to have much the same character as that of the meteorite-sprite and to be treated in a similar way. 776^x

A collection of hymns sung to nature sprites might tell us much more than I have recorded about them, but I took down only one specimen,² which begins: 776^x
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Biel, you love a cow in the heavens,
Son of the master of *deng*, you love a cow in the heavens.
Say if you want a brown cow,
Say if you want a white cow,
The cow of *biel deng* is a cow which will calve.

I quote these lines because, whatever their precise meaning may be, if they have one, they bear the unmistakable imprint of Dinka influence and therefore support the conclusion I reached on other grounds, mainly on the fact that these sprites are little heard of in eastern Nuerland, that the *biel* have been taken over by the Nuer from their Dinka neighbours. The sprite is represented as the son of the Dinka spirit *deng* and the word I have translated, following Dr. Lienhardt's usage, 'master' in the second line is *havy*, which must in this context be a Dinka word.

Likewise, and even more surely, the *ferishes*, with which the *biel* are sometimes classed, may be considered to be of foreign origin and to have been introduced fairly recently into Nuerland. At the time I was living there they were rarely found among the most easterly tribes and those who possessed them there had journeyed to the west of the Nile to purchase them. All Nuer whom I consulted were unanimous that the *ferishes* are foreign and new, those of the Lou tribe saying that they first began to hear of them in the time of the initiation period of the Danguks age, roughly some 30 years ago. The Nuer got them from the Dinka, but it is highly probable that the Dinka first got them from the Sudanic so-called Jar peoples (*Beli, Sef, Gheri, Mura, and Lobi*).³ The Nuer have tried, not entirely successfully, to assimilate 776^x
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¹ P. P. Howell, 'Some Observations on "Earthly Spirits" among the Nuer', *ibid.*, 1923.

² Others have been recorded by Father Couratier, *op. cit.*, p. 148, and Dr. Howell, *ibid.*

³ The conclusion that they come from the Jar is based partly on what Nuer say and partly on a number of etymological considerations arising out of my earlier research—much still unpublished—among the Jar and neighbouring peoples. It gains support from a note by Capt. V. H. Ferguson ('Mandinga Gods'

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776 these Sudanic medicines, which represent something quite alien
778 to their traditional way of thinking, to their conception of Spirit.

779 The Nuer word for what I have called fetishes is *kulenge*, and
●177 they often use this plural form even when they are speaking of a
particular fetish. They are what the Nuer call *waal*, a word which
means in its widest sense 'plants' but in a special sense, as here,
what are usually spoken of as 'medicines' in writings on African
peoples—magical substances. The fetishes are so called because
they are pieces of wood, though Nuer distinguish them from
ordinary magical substances by calling them 'medicines which
talk'. By this they mean that the spirits in them talk, because, here
again, Nuer can conceive of the spirits as separate from the
material substances in which they have their abode.¹ What has
been said earlier about air-spirits and totemic spirits must be said
also about nature spirits and fetishes. The same spirit is in a num-
ber of different luminescences or bundles of wood.

Like the nature spirits these fetishes bear some resemblance,
especially in the manner by which men communicate with them,
to the spirits of the air. Nuer have tried to assimilate them to an
earlier model of Spirit, and this is indicated metaphorically by
calling both types of spirits *gastoyadeng*, children of daughter(s)
of *deng*, a Nuer way of saying both that they are Dinka and that
they are spirits of a very inferior order. There are quite a number
of fetishes: *mathiong*, *aga*, *macar*, *dargak*, *mabor*, *malual*, *malak*,
malak, *gouciou*, and others.² The names of several of these I have
mentioned are colour-names: the white one, the black one, the
brown one, etc.

776 Fetishes are aporeal in their action. They are acquired in the
778 first instance by purchase, though they may later be inherited.

754 Wiskuloff, *Sudan Nuer and Kavir*, 1923, pp. 112-12) in which he says that
an Ager Dinka first got this kind of medicine from the jar about the year 1900.
Writing in 1923 he says 'To-day it is universally used throughout the entire
Eastern and Southern District and many Dinka are sacrificing themselves by
introducing it into the Nuer Country.'

¹ Capt. Ferguson (*ibid.*, p. 112) also notes that the substance is 'nearly a
visible sign' of Spirit.

² Father Crowther (*op. cit.*, p. 176) divides them into the *baleng* type, which
speaks through men, and the *gab* type, clathonic beings which speak from the
earth. Dr. Howell (*op. cit.*) makes the same division, though he would agree with
me that '*baleng*' can be, and commonly is, used to cover both. I am ready to
accept a formal division into these two types but I cannot agree with Dr. Howell's
opinion that the *baleng* type is of Nuer, and the *gab* type of Dinka, origin. I am
fully convinced that both are of foreign origin.

SPIRITS OF THE BELOW

778 Indeed, the fetiches seem only to have been placed in the category of Spirit by the logical necessity of assimilating the powers attributed to them to some model the Nuer already possessed. 776 They are also of the category of *wal*, medicines, which sharply differentiates them from Spirit proper, but since they can reveal their wants and wishes in speech, move about, and kill people, they seem to Nuer to fall between the two categories. It is to be remarked that the *kulogesi* and the *biel*, which are closer to totemic representations of Spirit, are generally referred to by these names and not, like the totemic spirits, as *kash*, as though by distinction of name they were being marked off from the other spirits. It should be stressed also, in this connexion, that the fetiches, and to some extent the nature sprites, are spoken of in the plural, as when we speak of angels, devils, goblins, and fairies, showing that they are conceived of as having less individuality than other spirits.

759 It remains only to say a few words about medicines which do not talk, the ordinary *wal*, magical substances which have an efficacy in themselves and do not derive their power from Spirit. Coming to the Nuer from Zandland, where everyone is a magician and medicines are legion and in daily use, I was at once struck by their negligible quantity and importance in Nuerland, and further experience confirmed my first impression. I mention them chiefly for the reason that their rarity and unimportance are highly indicative of the orientation of Nuer thought, which is always towards Spirit.

189 In speaking of Nuer magic we are faced with the same historical problem that I have mentioned earlier, for all Nuer with whom 177 I have spoken on the subject have said that medicines were almost entirely lacking—only a few are thought to be old—in the days of their fathers and that most of the few medicines they now possess have been taken over from neighbouring peoples. My own view is that ethnological evidences support their statements, but the point that is important for us here is rather that Nuer regard medicines as something foreign and strange. They think easily in terms of Spirit but not in terms of medicines, the idea of which as it obtains among their Sudanic neighbours they seem scarcely able to grasp.

777 Nuer medicines of today are mostly of the nature of talismans for fortune—in hunting, fishing, courting, and travelling. I did not find that Nuer had much faith in them. Medicines are also

SPIRIT AND THE SOCIAL ORDER

reference to God as 'father', and it is perhaps sufficient to say that they enable the speaker to indicate whether he speaks to Spirit as 'Spirit of our fathers' in the sense of Spirit in relation to his lineage alone or in the sense of Spirit in relation to everyone. He can thus stress the unity of all present in relation to God or their separateness as social groups in a distinctive relationship to him as such.

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The ambiguities which seem at first to be so puzzling a feature of Nuer religion are, at least to some extent, resolved by considering in this way their religious ideas in relation to their social order, for in all societies religious thought bears the impress of the social order. Given the segmentary political and lineage structure of the Nuer it is understandable that the same complementary tendencies towards fission and fusion and the same relativity that we find in the structure are found also in the action of Spirit in the social life. Just as, for example, two lineages are distinct and opposed groups in relation to one another at one level of segmentation and are a single unit at a higher level of segmentation, so Spirit as conceived in relation to these segments must be divided at the lower level and undivided at the higher level. It is intelligible, therefore, that in its relation to the segmentary social order the conception of Spirit is broken up into diverse refractions, while in relation to nature and man in general the many become again the one.

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In the light of what has been said above it is not surprising that any number of new spirits may come into existence without disconcerting the Nuer, either being borrowed from neighbouring peoples or derived from some unusual experience. We have good reason to believe that the spirits of the air, the fetishes, and, at any rate for the most part, the totemic spirits have been introduced, some of them very recently, into Nuerland, and probably the same is true of the nature spirits.¹ I think it can be assumed—I do not see how it can have been otherwise—that there have always been different representations of *kwoth* among the Nuer, and if this is so the old, or traditional, religion must have consisted,

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¹ Many of these spirits are probably new not only for the Nuer but also for the Dinka. Even those which can be shown to have some antiquity in Dinka culture, e.g. *ding*, may be supposed, since they are not found among most other, or all other, Nilotic peoples, to have come into existence after the dispersal of these peoples took place. Complicated philological issues are raised by these questions.

SPIRIT AND THE SOCIAL ORDER

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 x 776 as far as the notion of Spirit is concerned, of the conceptions of
 • 177 God, of God figured to specific social groups by grammatical
 indications or by reference to their names, of cosmic spirits, and
 of some totemic spirits.

• The taking over of new spiritual conceptions from neighbouring peoples may have been partly fortuitous, but I would suggest that it may also in part be accounted for by reference to recent Nuer history. During the last hundred years the Nuer have absorbed a great number of Dinka and have also been brought into closer contact, directly or indirectly, with other peoples of the Southern Sudan and also with Arabs and ourselves. This provided opportunities for borrowing foreign ideas. But it may be suggested that not only was the opportunity there, but also the need. Nuer statements lead us to suppose that certain social developments were taking place at the same time. They say that their clans and lineages were being broken up by expansion, and were incorporating into their stocks Dinka lines of descent, besides assimilating politically Dinka communities—hence the Dinka totems in Nuerland today; that prophets emerged who directed large-scale raids on the Dinka and defence against the 'Turks' (the Arabs and the British)—hence the Dinka and other foreign spirits of the air; and that the peace and administration imposed on them by the government of the Anglo-Egyptian Sudan have given protection to those who wish to pursue private gain and vengeance—hence the introduction of fetishes and their spread. Ethnological evidences support what they say, and we can add that it is in accord with the logic of the Nuer conception of Spirit that it should be represented by figures corresponding to these new social phenomena. Dr. Lienhardt tells me that since I was last in Nuerland the number of spirits has increased and that they have spread widely and freely. This is what we would expect to follow further social disintegration (p. 309).

x 776 God may thus be figured in numberless ways in reference to
 771 social groups and to persons, and in relation to effects which are significant for them; and in none of them has the figure any sharply defined individuality. This is fairly easy to understand when we are dealing with refractions which are referred to simply as *kwoth* of a group and without distinguishing name or title; but it may fairly be asked whether those spirits which are named can adequately be thought of as refractions and are not rather to be

SOUL AND GHOST

775 As Nuer speak about *cien* it has, therefore, the sense of an
 626 injustice crying out for vengeance. The essence of the concept is
 the notion of a wrong unrighted, of a grievance which demands,
 and rightly demands, redress. Even a living man who has no other
 way of getting justice may say to the man who has wronged him
 'be ji cien', 'I will haunt you', meaning that though he cannot get
 justice now he will get it after he is dead. Nuer say that he may
 express this threat not in words but by looks. As in the case of the
biit, so with the *cien*, it is God who makes the ghostly vengeance
 to work. Nuer say that the wronged ghost exacts vengeance by
 making his cause known to God, who sooner or later punishes the
 wrongdoer.

753 The moral action of *biit* and *cien*, which have a similarity to
 certain ideas of sin discussed in the next chapter, is in this respect
 very different for Nuer from the exercise of psychical and physical
 powers which have no moral foundation and are therefore not
 thought to involve divine judgement and intervention and are
 only thought of in connexion with Spirit, if at all, so far as all
 that happens in the world can ultimately be said to happen because
 God allows it and can be appealed to to change the course of

[143] events. I refer to the evil eye (*pet*); ghouls (*roth*); the danger of
 pregnant women (*ther*) and to a lesser extent of their husbands,

• [177] an idea some of the eastern Nuer have taken over from the Anuak;

[841] the danger of women who commence menstruation in the dry
 season month of *pet* (*hoc mon*); the danger of a child after two or
 three of its elder brothers and sisters have died at, or shortly after,

[842] birth (*ful*); monorchids (*tor*), a child conceived while its mother is
 still suckling (*mok*); and menstruation, which is dangerous for the
 cattle—no woman may drink their milk at this time. If Nuer are
 in danger from any of these influences they may pray and sacrifice
 to God, but if they do so their prayers and sacrifices are mixed
 up with all sorts of other and different sets of ideas and they deal
 with the situation mainly by magical rites which would be both
 inappropriate and ineffective where Spirit is concerned. They
 therefore cannot properly be included under the rubric of religion
 and so lie outside the scope of this book. They are mentioned only
 in order that their relative unimportance may be emphasized.
 That in itself is of significance. Perspective would be lost were it
 not understood.

SIN

through adoption, and close affinity. It is also incestuous for a man to have carnal relations with the daughter of an age-mate and for two closely related persons of the same sex to have congress with a person of the opposite sex, even though that person is unrelated to them. A further reason is that Nuer regard incest as a venial offence if the partners are distantly related, and young men certainly often take the slight risk involved. It is easier to understand why incest outside the family and nearest kin is not infrequent if we consider it also in a general setting of sex relations. Nuer do not object to girls having love affairs before marriage so long as they are reasonably discreet in them and give their favours to youths with cattle, who may at least be supposed to have what we call honourable intentions; and little opprobrium attaches to adultery, of which they speak light-heartedly and without disgust or shame. 835

Nevertheless, adultery (*dhom*), besides being a wrong done to the husband by infringement of his rights, is a further wrong to him in that he is polluted. A husband who discovers his wife in *flagrante delicto* may obtain summary justice by spear or club. Otherwise he demands compensation in cattle, and if the two men are members of the same local community he is likely to receive it. In addition, to the cattle paid in compensation, the adulterer hands over to the husband an ox called *yang kula*, the ox of the (husband's) sleeping-hide. This is paid to protect the husband from the consequences of the adultery, known as *kor*, a concept of which one also hears much in Nuerland. *Kor* is a condition brought about by a man having congress with his wife after she has been unfaithful to him. All three persons are polluted, but if sickness results it falls on the husband, and it is most likely to fall on him if the adultery took place in his home. This sickness is also called *kor*, though it may be referred to as well as *juei kula*, sickness of the hide, or, on account of its symptoms, *juei letka*, sickness of the loins. I was told that it may prove fatal, though Miss Soule says that it is myalgia of the lumbar region. Nuer told me that they learnt about *kor*, as they learnt about so many of the ideas discussed in this book, from the Dinka and that it was also from that people that they took over a preventive and curative treatment of it, *wal kore*, *kor* medicine, the tip of a buffalo's horn which is burnt, and its smoke inhaled. Their statement that the concept is a Dinka one is supported, among other evidences, by 836 837 783 [753] 837 783 177 [757]

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837 the fact that the word *kor* has no further meaning in Nuor
 785 whereas in Dinka it is the verb for 'to commit adultery'.¹

777 Adultery medicine is probably used only as a precaution and perhaps in addition to sacrifice if a man falls sick and the symptoms suggest *kor*. The main safeguard and remedy is sacrifice, and in cases where the adulterer is known he hands over the young *kula* for this purpose. It is generally conducted on behalf of the husband by some religious functionary, perhaps a leopard-skin priest or a man who respects *kor* (a man who has himself at some time suffered from it and has recovered), in the presence of the families and friends of the parties involved. He or another person first invokes God that the sick man may recover. Immediately the ox has fallen the adulterer and his friends take hold of its head and forelegs, and the husband and his wife and friends of their family take hold of its hindlegs while the man who is conducting the rite cuts the carcass in two through the loins.² The young *kula* is sacrificed to wipe out the pollution whether the husband falls sick or not. That it has this significance is shown by the fact that when, for reasons I have set forth elsewhere,³ in the event of a child being born of adulterous congress the cattle paid in compensation, or others in their stead, are returned to the adulterer, the young *kula*, if it has not yet been sacrificed, remains with the husband for that purpose, and if it has been sacrificed he is under no obligation to return another ox in its place; and by the fact that if the husband forgoes compensation, as he may do if the adulterer is a close agnatic kinsman and neighbour, the young *kula* must be paid to protect him from evil consequences. It is not part of the *ruok*, the compensation, but is handed over in addition to it, and for a different purpose. Even the cattle of compensation are tainted for the husband. He keeps them away from his own cattle, putting them in the care of a friend or kinsman well away from his own homestead, and he rids himself of them as soon as he can, either by marrying with them or by giving them to one of his brothers for the same purpose. I was told that above all he would

¹ P. A. Nobel, op. cit., pp. 13 and 88. The noun form *kor* means 'adultery'.

² Dr. Mary Smith tells me that if a man suffers from *kor* and the adulterer is unknown the officiant holds the forelegs while someone else cuts through the carcass (of a sheep). She says that in the part of Moriland she resides in the idea of *kor* is no longer prevalent.

³ 'Some Aspects of Marriage and the Family among the Nuor', *Zeitschrift für vergleichende Rechtswissenschaft*, 1938, pp. 313-4.

SACRIFICE

is cut in two laterally across the belly (qeq). This is done at 7P2 ceremonies in honour of a calvar spirit, and also in rites performed to avoid misfortune coming to a man whose wife has been unfaithful or who takes a widow in levirate marriage.

In sacrifices to spirits associated with rivers and streams and with creatures which live in them (generally the crocodile), and also sometimes in a sacrifice to God for rain, the victim—a sheep or goat, not an ox—may be bound and pushed under the water among the reeds and weeds. When sacrifice is made to the python-spirit the victim is suffocated. The openings of its body are stuffed with grass and it is jumped on and pummelled to death. In practice it is assumed to be dead at an early stage and the point of a spear is inserted in its throat to begin the skinning. Nuer regard this as a Dinka mode of sacrifice, as indeed it is, contrasting suffocation with yiech, stabbing with the spear, their own normal mode of sacrificing man.

I have not seen a sacrifice to the python-spirit, but I have seen an ox suffocated in a different and rare ceremony. I think that perhaps what I witnessed should not be regarded as a sacrifice at all, at any rate in the usual sense, for the beast does not seem to have been consecrated and there was no invocation. It has more the appearance of what we might better describe as a magical rite, almost certainly of Dinka origin. I feel nevertheless that, as it was the only occasion I saw a killing by suffocation, I should give a brief description of it. When a girl is espoused early in life, probably before the commencement of the menses, the premature payment of 7P2 bridewealth may cause her to be barren unless a special ceremony is performed. In western Nuerland, where I saw it, it is called *gwor*.¹ I believe that in eastern Nuerland a rather different ceremony is performed. On the occasion when I was present it took place in the girl's home after her marriage had been consummated. An ox was thrown and its forelegs and back legs tied in pairs. It was then slowly suffocated, grass being first pushed up its anus with a stick, and then into its mouth and nostrils (Plate III). During its sufferings the husband and a youth of his age-set, the wife and a maiden of about her age, and a small boy and a small

¹ J. Kiggen (op. cit., pp. 108 and 117) gives this word as the name of a different ceremony, for a woman without children who has smallpox. He says that a small gourd is opened, beer is poured into it, it is robbed over the woman, and a goat is killed. The rite I describe is probably his *gwor*, the meaning of which he gives as 'animal sacrifice to the Dinka god'.

SPEAR SYMBOLISM

ancestor of the clan and hence symbolize the clan as a whole. Any spear will do, but, for the reason I have stated, there must be a spear; and when Nuer sitting in my tent recounted to me what is old in invocations they gestured with their right hands as though they held spears in them, for they found it difficult to speak the words without making the gestures, just as in recounting what is old in prayers (*paŋ*) they found it difficult to do so without moving outstretched hands up and down. 411 782 614

Published literature on the Nuer records information about only two actual spears of clans. The one about which we are told most is the spear, called *wia*, of the Gaatgankir clan, who are regarded by all, including themselves, as being of Dinka origin; and the spear is a Dinka, and not a Nuer, type of spear. A mysterious origin and power are attributed to it. It is believed to have been held by Kir, the ancestor of the clan, when he was cut out of the gourd in which he was found, and it is also associated with the *ai-spirit* *wia*, which is regarded as being in some sense immanent in it. When I was in Nuerland it was in the charge of a family of leopard-skin priests of the Tar lineage of the eastern Gaajak tribe. I did not myself see it, but it has been described by Mr. H. C. Jackson, who saw it in 1922 near the Pilbor river.¹ H. records that it was decorated with cowrie shells and beads and was housed in a special grass hut where visitors treated it with great deference. He says that it was prayed and sacrificed to, especially before raids on the Dinka and Burun peoples;² that if two sections of the Nuer wished to engage in fighting among themselves it would be placed between them to prevent an engagement; and that oaths were taken on it. I was told that only old people would look upon it. The importance of this spear to our discussion of clan spear-names is that, as I will explain later, all such spear-names have an 411 614 [77]

¹ H. C. Jackson, *op. cit.*, pp. 168 and 177-81.

² We are probably to understand, in view of Nuer religious conceptions in general, that Nuer respect (*thek*) the spear and pray and sacrifice to the spirit *wia*, which is in the sky as well as in the spear. Mr. R. T. Johnston reached the same conclusion with regard to a similar spear among the Bar Dinka. He observes that 'the spear by itself, except by association and as a symbol, is not sacred' (*op. cit.*, p. 127). Dr. Lienhardt tells me that when the Government, with remarkable lack of imagination, confiscated and removed this spear lest it should become a focus of opposition to the administration the Dinkas' faith was in no way lessened. The only result was that the spirit associated with the spear, no longer having a recognized material symbol in a single place, manifested itself all over the tribal territory, defying any further intervention.

PRIESTS AND PROPHETS

792 expression of the prophet's relation to Spirit, the spirit in him
lifting him up, as it were, to its own realm.

792 The construction of this so-called pyramid (*bié*), a conspicuous
778 landmark in Lou tribal territory, was begun by Ngundeng and
completed by Gwek. It was a huge mound of earth and debris
some fifty to sixty feet high with a base diameter of about a
hundred feet. It was surmounted by elephant tusks and a spear
decorated with an ostrich egg and feathers and encircled at the
base with dozens of elephant tusks, numbers of which were also
buried in the mound.¹ The purpose of the mound seems to have
been to honour *deng* and increase the prestige of his prophet,
though it may have expressed also the feeling of the above quality
of Spirit. It became a cult centre, people from the whole of eastern
Nuerland, and even from the west of the Nile, bringing cattle
there for sacrifice; and Ngundeng and Gwek kept in a kraal near
by a herd of cattle with black and white markings (*rial*) dedicated
to *bungdié*, the mother of *deng*, with whom these markings are
associated. All this is more in accordance with Dinka than Nuer
thought and custom, and there is some reason to suppose that the
idea of the mound was, like the *deng* conception itself, borrowed
from the Dinka. There is said to be a similar, though smaller,
mound at Thoc, in eastern Gaajak country, built by a prophet
called Deng, son of Dal. Ngundeng's mound was blown up with
high explosive by the British administration during a punitive
expedition in 1928 against his son's followers. However, much of
it still remains, and Dr. Lienhardt tells me that it is said at the
present time that sometimes at night a strange light is seen shining
from it; and when a recent eclipse of the sun occurred people said
that Ngundeng was returning. Another prophet, Deng Leaka, a
prophet of the spirit *diu*, a Dinka of the Gaawar tribe, also
acquired his spirit by fasting and solitude. He left his home and
wandered in the bush where for many days he sat under a tree
without eating. When found he was engaged in collecting hun-
dreds of shells of the giant land snail and arranging them in rows.
This abnormal side to the prophets is to be seen in their unkempt
hair and their beards, both of which are objectionable to ordinary

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¹ Captain H. H. Wilson in *The Anglo-Egyptian Sudan*, edited by Count Gleichen, 1905, vol. I, p. 140; information from Major C. H. Sigand, *Sudan Notes and Records*, 1918, p. 210; H. C. Jackson, op. cit., p. 158; P. Coriat, op. cit., p. 224.

PRIESTS AND PROPHETS

792 of these ideas are part of the same process of change. As we have
 776 noted, they say of their air-spirits which inspire their prophets,
 182 and also in general of spirits which have fallen from above to
 ● [177] earth, that they took them over from foreign peoples, mostly from
 the Dinka; and it is also possible that, as Mr. H. C. Jackson sug-
 gests,¹ there is a relation between the appearance of prophets
 among the Nuer and the spread of Dervish influence, for it was
 about the time of the Mahdist upheaval that their first prophets
 arose, and I was expressly told by one Nuer that the first spirit
 they heard of entering men was *madi* (?al-Mahdi) in the lands of
 the north and that afterwards they heard of *deng* and then of
 other spirits.

792 Although the emergence of prophets can be interpreted in terms
 182 of historical events and structural changes just as the priesthood
 can be interpreted in terms of the functioning of the traditional
 tribal system, the prophet's significance for an understanding of
 Nuer religious thought calls for comment not required in the case
 of the priest. The rise of prophets and the increase of every other
 kind of 'owners' of spirits may indeed be a response, first to a
 challenge and then to disintegration, but it is a response made
 within a set of religious conceptions and has, therefore, a signifi-
 cance for the study of those conceptions without regard to what-
 ever it may have been which occasioned the response. That the
 response should have taken a religious form does not surprise us,
 for that has been a common enough reaction to European rule in
 Africa and elsewhere, and the Nuer are, in any case, conspicuously
 religious. What claims our attention is rather the kind of religious
 form it took, a form which is at the same time both a development
 of potentialities in their traditional religion and a change in its
 character. We have seen in an earlier chapter how the Nuer notion
 of Spirit lends itself to refraction without limits. If this had not
 been so all the new spiritual conceptions which have arisen in the
 course of the last two generations could not have come into exis-
 tence without entirely changing the character of Nuer religious
 thought. As it is, they have partly changed it.

¹ Op. cit., p. 91.